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RAJASTHAN RULES COMPENDIUM

(IN 16 VOLUMES)
(1949 TO 1967)



By
VYAS & BAFNA



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RAJASTHAN RULES COMPENDIUM

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VOLUME II

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CASH JAGIR ABOLITION ACT, 1958 (RAJ. ACT
No. 29 OF 1958).

Notifications under

Rajasthan Cash Jagir Abolition Act, 1958

Published in Raj. Ra-jpatra I (b) dated August 10, 1961 at page 172 :

Revenue 'A' Department

NOTIFICATION

Jaipur, July 17, 1961.

No. 9156/F. 2 (35) Rev./A/60.—In exercise of the powers conferred by sub-section (2) of section 6 of the Rajasthan Cash Jagir Abolition Act, 1958, (Act No. 29 of 1958), the State Government hereby Declares that the grant of money enjoyed under the denomination of 'Khangī' made or recognised to have been made by the Government in any part of the State or by the Ruler of the Covenanted State to the widows in the Jagirdars' families for their life time, on the resumption or abolition of Jagir Lands, shall be exempted from the provisions of the Rajasthan Cash Jagirs Abolition Act, 1958.

By Order of the Governor,
R. K. CHATURVEDI,
Secretary to the Government.

Rules and Notifications under

CATTLE TRESPASS ACT 1871 (CENTRAL ACT
No. 1 OF 1871).

NOTIFICATIONS UNDER CATTLE TRESSPASS ACT, 1871

Published in Raj. Raj-patra Dated October 11, 1956 part VI (c) at page 141 :

ENGLISH TRANSLATION

(Authorised by His Highness the Rajpramukh)

NOTIFICATIONS.

Jaipur, August 3, 1956.

No. 7961/F. 1 (j) (22) LSG/53.—In exercise of the powers conferred by section 12 of the Cattle Tresspass Act, 1871 (Act, No- 1 of 1871) as applied to Rajasthan by Rajasthan Ordinance No. IV of 1950 the Government of Rajasthan have been pleased to prescribe the scale of fines and rates of charges for feeding and watering cattle in all the pounds throughout Rajasthan as detailed below :

<i>Name of Cattle.</i>	<i>Fine (per head)</i>	<i>Feeding and watering (per head)</i>
1	2	3
1. Buffalo She-buffalo	Rs. 2/-	Rs. 2/-
2. Calf of a buffalo	" 1/-	" -/12/-
3. Horse or Mare	Rs. 2/-	Rs. 2/-/-
4. Elephant	" 10/-	" 10/-/-
5. Cow or Ox	" 2/-	" 1/8/-
6. Calf of a cow	" 1/-	" -/12/-
7. Donkey	" 2/-	" 1/-/-
8. Sheep	" 1/-	" -/8/-
9. Camel	" 5/-	" 2/-/-
10. Kid	" -/8/-	" -/8/-
11. Goat or She-Goat	" 1/-/-	" -/8/-

Notifications under

CATTLE TRESSPASS ACT, 1871.

Published in Raj Raj-patra part I (b) dated September 24, 1959 at page 305

Revenue (B) Department

NOTIFICATION

Jaipur, July 28, 1959.

No. F. 6 (8) Rev./B/59.—In exercise of the powers confirmed by the Second Paragraph of section 26 of the Cattle Tresspas Act, 1871 (1 of 1871) as adopted to Rajasthan, the Government of Rajasthan is hereby pleased to direct that the first paragraph of that section shall, with reference to the area within a radius of 10 miles from Deoli, be read as if it had reference to cattle generally, and as if the words ‘fifty Rupees’ were substituted for the words ‘ten Rupees’ occurring in first para of the said section.

By Order of the Governor,
R. K. CHATURVEDY,
Secretary to the Government.

Rules and Notifications under

CENSUS ACT, 1948 (CENTRAL ACT No. 37 OF 1948)

NOTIFICATIONS UNDER
CENSUS ACT, 1948

Published in Raj. Raj-patra Vol. 2 No. 8 Dated 22-4-50 at page 42 :

GENERAL ADMINISTRATION DEPARTMENT.
NOTIFICATION

Jaipur, April 10, 1950.

No. F. 6 (8) I/G.A.50/.—In pursuance of sub-section (4) of section 4 of the Census Act, 1948, the Government of Rajasthan, is pleased to delegate to the Census Superintendent of Rajasthan, the power of appointing Census Officers under sub-section (2) of the said section.

Jaipur, April 10, 1950

No. F. 6 (8) II/G.A.50.—In exercise of the powers conferred by sub section (2) of section 4 of the Census Act, 1948 (No. 37 of 1948)- the Government of Rajasthan is pleased to appoint the following as Census Officers to perform the functions mentioned in the said sub section:

1. All Collectors of Districts as ex officio Census Officers within their Districts.
2. All Assistant Collectors in charge of Sub-Divisions as ex-officio Divisional Census Officers within their Sub-Divisions.
3. All Tehsildars as ex-officio Charge Superintendents within their Tehsils.
4. All Naib-Tehsildars as ex-officio Assistant Charge Superintendents within the Tehsils in which they are posted.
5. All Chief Executive Officers of the Municipalities or Corporations as Charge Superintendents for their respective areas and jurisdiction.

Jaipur, April 10, 1950.

No. F. 6 (8) III/GA/50.—In pursuance of sub-section (3) of section 4 of the Census Act, 1948, the Government of Rajasthan is pleased to authorise the Census Superintendent of Rajasthan, and the Collectors of Districts to issue written declarations of appointments under their signatures in respect of appointments of Census Officers made under the said Act.

By Order.
V. R. ADIGE,
*Additional Secretary to the
Government of Rajasthan.*

Published in Raj. Raj-patra Vol. 2 No. 29 Dated 1-7-50 part I at page 209 to 210 :

General Administration Department.

ORDER.

Jaipur, June 14, 1950.

No. F. 6 (3) I/G.A.50.—In exercise of the powers conferred by sub section (1) of section 6 and section 7 of the Census Act, 1948 (Act No. XXXVII of 1948), the Government of Rajasthan are pleased to delegate to all charge Superintendents appointed under sub-section (2) of section 4 all powers exercisable under sections 6 and 7 of the said Act within their respective areas of Census Jurisdiction.

By Order of His Highness the
Raj. Pramukh,
V. R. ADIGE,
*Additional Secretary to the
Government of Rajasthan.*

NOTIFICATIONS.

Jaipur, June 14, 1950.

No. F. 6 (3) II/G.A./50.—In exercise of powers conferred by section 12 of the Census Act, 1948 (No. XXXVII of 1948), the Government of Rajasthan is pleased to authorise the Superintendent of Census Operations in Rajasthan to sanction prosecutions for offences under said Act.

By Order of His Highness the
Raj Pramukh,

V. R. ADIGE,

*Additional Secretary to the
Government of Rajasthan.*

Jaipur, June 14, 1950.

No. F. 6 (3) III/G.A./50.—It is hereby notified for general information that the following questions shall be asked by the Census Officers in their respective areas and answered in connection with the Census of small Scale Industries as required under sub-section (1) of section 8 of the Census Act, 1948 (No. XXXVII of 1948):—

1. Name of the establishment or proprietor.
2. Nature of the business.
3. Number of owners.
4. Do all the owners belong to the same family or are there any outsiders.
5. Is the establishment perennial or seasonal? If seasonal, for which months in the year does it work?
6. No of looms in textile establishment and material woven, *i. e.*, Cotton, Wool, Silk etc.
7. Number of persons employed—(a) Adults 18 & over—

Whole-time	Part-time	Whole-time	Part-time
(b) Youths (15 to 18).			
(c) Children (under 15).			

V. R. ADIGE.

*Additional Secretary to the
Government of Rajasthan.*

Notifications under

CENSUS ACT, 1948.

Published in Rajasthan Raj-patra part IV(c) dated August 20, 1959 at page 469-470

Jaipur, July 14, 1959.

No. F. 8 (12) Rev. B/59.—In exercise of the powers conferred by sub-section (2) of section 4 of the Census Act, 1948 (XXXVII of 1948), the State Government hereby appoints the following officers in Rajasthan as Census Officers within the limits or their respective Jurisdiction:—

- | | | |
|---------|--|---|
| (i) | The Collector of a District | as District Census Officer of a District. |
| (ii) | The Sub-Divisional Officer of a Sub-Division | as Sub-Divisional Census Officer of a Sub-Division. |
| (iii) | The Tehsildar of a Tehsil | as Tehsil Census Officer of a Tehsil. |
| (iv) | The Executive Officer of a Municipality | as Municipal Census Officer of a Municipality. |

Jaipur, July 14, 1959.

No. F 8 (12) Rev. B./59.—In pursuance of sub section (3) of section 4 of the Census Act, 1948 (XXXVII of 1948), the state Government hereby authorises the following authorities to sign appointment orders of Census Officers for any local area within their respective jurisdiction:—

- (1) The State Superintendent of Census Operations for Rajasthan.
- (2) The District Census Officer for a district.
- (3) The Sub-Divisional Census Officer for a Sub-Division.
- (4) The Tehsil Census Officer for a Tehsil.
- (5) The Municipal Census Officer for a Municipality

Jaipur, July 14, 1959

No. F. 8 (12) Rev. B./59.—In pursuance of sub-section (4) of section 4 of the Census Act, 1948 (XXXVII of 1948), the state Government hereby delegates the power of appointing Census Officers conferred upon it by sub-section (2) of the said section to the following officers in Rajasthan within their respective jurisdiction:—

- (1) The State Superintendent of Census Operations.
- (2) The Collector of a District.
- (3) The Sub-divisional Officer of a Sub-division.
- (4) The Tehsildar of a Tehsil.
- (5) The Executive Officer of a Municipality.

Jaipur, July 14, 1959.

No. F. 8 (12) Rev. B./59.—In exercise of the powers conferred by section 12 of the Census Act, 1948 (XXXVII of 1948), the State Government hereby authorises the following officers to accord sanction for any prosecution under the said Act within the limits of their respective jurisdiction:—

- (1) The State Superintendent of Census Operations.
- (2) The Collector and District Magistrate.

By Order of the Governor,
R. K. CHATURVEDY,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated October 15, 1959 at page 774

Revenue (B) Department NOTIFICATION.

Jaipur, August 29, 1959.

No. F. 8 (12) Rev. B./59.—In partial modification of this Department notification of even number dated 12-6-59 published in Rajasthan Rajpatra Vol. II, No. 21 Pt. IV. C of 20-8-59 at page 469, the State Government hereby appoints "Secretary to the Municipal Committee" as Census Officer of a Municipality, where a separate post of an Executive Officer does not exist.

R. K. CHATURVEDY,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated May 19, 1960 at page 2426

NOTIFICATIONS.

Jaipur, February 27, 1960.

No. F. 34 (2) GA/A/60.—In pursuance of the provisions of sub-section (1) of section 8 of the Census Act, 1948, (XXXVII of 1948), the State Government hereby authorises all Census Officers to ask all persons within the limits of the local area for which they have been respectively appointed, the questions necessary for collecting information in respect of enumeration operation of the 1961 Census, as enumerated in the Schedules I and II annexed hereto.

Schedule I. Individual Census Slip.

Questions.

- (1) Name of member of the household.
- (2) Relationship with the head of the household.
- (3) Age.
- (4) Marital status (Whether unmarried, married, widowed or divorced).
- (5) Birth Place.
- (6) Born in rural or urban area.
- (7) Duration or residence, if born elsewhere.
- (8) Nationality.
- (9) Religion.

- (10) Whether belongs to Scheduled Caste or Scheduled Tribe.
- (11) Literacy and education.
- (12) Mother-Tongue.
- (13) Any other language (s) used.
- (14) Working as cultivator.
- (15) Working as agricultural labourer.
- (16) Working at household industry, if so—
 - (a) nature of work.
 - (b) nature of household industry, and
 - (c) if employee.
- (17) Doing work other than mentioned above, if so—
 - (a) nature of work.
 - (b) nature of industry, profession, trade or service.
 - (c) class of worker, and
 - (d) name of establishment.
- (18) Activity, if not working.
- (19) Sex.

Schedule II Household Schedule.

Questions.

- (1) Full name of head of household.
- (2) Whether head of household belongs to Scheduled Caste or Scheduled Tribe.
- (3) Whether household is an institution.
- (4) Land under cultivation by household owned or held from Government with local name of right thereon and area in acres.
- (5) Land under cultivation by household held from private persons or institutions for payment in money, kind or share with local name of right thereon and area in acres.
- (6) Land given to private persons for cultivation for payment in money, kind or share by household with local name of right thereon and area in acres.
- (7) Household industry conducted by the household with nature of such industry and the number of months in the year during which it is conducted.
- (8) Members of the household working and/or hired workers kept wholetime during current or last working season for household cultivation.
- (9) Members of the household working and/or hired workers kept wholetime during current or last working season for household industry.
- (10) Members of the household working and/or hired workers kept wholetime during current or last working season both in household cultivation and household industry.

Published in Rajasthan Raj patra part IV (c) dated May 19, 1960 at page 26-27

Jaipur, February 27, 1960.

No. F. 34 (5) GA/A/60.—In pursuance of the provisions of sub-section (1) of section 8 of the Census Act 1948 (XXXVII of 1948), the State Government hereby authorises all Census Officers to ask all persons within the limits of the local area for which they have been respectively appointed, the questions necessary for collecting information in respect of House-Numbering and House-Listing operation for the 1961 Census as enumerated in the Schedule I annexed hereto.

Under sub-section (2) of the said section every person is legally bound to answer such questions to the best of his knowledge or belief.

Schedule I.

Questions.

- (1) Municipal Number of the building.
- (2) Purpose for which each census house in a building is used.
- (3) If any house is being used as an establishment, workshop or factory:—
 - (a) Name of establishment or proprietor.
 - (b) Name of product (s), repair or servicing undertaken.
 - (c) Average number of persons employed daily last week, and
 - (d) Kind of fuel or power if machinery is used.
- (4) Material used in the construction of the walls of the census house.
- (5) Material used in the construction of the roof of the census house.
- (6) Number of households living in each census house.
- (7) Name of the head of the household.
- (8) Number of rooms in each census household.
- (9) Household living in own or rented house.
- (10) Total number of male or female persons in each census household.
- (11) Year of construction of the house if constructed in the year 1951 or after.
- (12) The building belongs to a Scheduled Caste or Scheduled Tribe.

By Order of the Governor,

B. MEHTA,

Chief Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated June 16, 1960 at page 53-54

. Jaipur, April 25, 1960.

No. 34 (18) GA/A/60.—In connection with the forthcoming Census operations of 1961 in Rajasthan, Government are pleased to order as follows:—

- (1) The Government servants employed as Enumerators, Supervisors, Charge Officers, Deputy Charge Officers are permitted to attend office late by two hours in the beginning of office hours and to leave office one hour earlier than the prescribed time during the enumeration period from 10th February, 1961 to 3rd March, 1961.
- (2) Census workers are exempted from office work from 1st to 3rd March, 1961 throughout Rajasthan for purposes of final check up of enumeration.
- (3) The Ministerial staff of the Government Secretariat is permitted to undertake typing work outside office hours without detriment to their official duties and responsibilities and to accept remuneration etc. therefor from the Census Department. The typewriters and the requisite stationery will be supplied by the Census Department and the work will not be carried out in Secretariat.
- (4) Government servants at Jaipur, Bikaner, Jodhpur, Udaipur and Kotah are permitted to work temporarily outside office hours, if required to do so, in the Census Tabulation Offices which will be established at the above places from the 1st of March, 61 and to accept remuneration therefor provided the work is so done is without detriment to their official duties and responsibilities. Retired persons are also permitted to undertake the tabulation work on payment of daily or monthly wages depending upon the nature and amount of work without taking into consideration the Pension drawn by them as required under provisions of R.S.R.

By Order,
B. MEHTA,

Chief Secretary to Government.

NOTIFICATION

Jaipur, April 26, 1960.

No. F. 34(14) GA/A/60.—In exercise of the powers conferred by sub-section (2) of section 4 of the Census Act, 1948 (37 of 1948) the State Government hereby appoints—

- (1) the Additional District Magistrates of Ajmer, Jodhpur, Kota and Udaipur Districts and the Additional District Magistrate (I) of Jaipur District as Census Officers, to

be designated as Additional District Census Officers, for the cities of Ajmer, Jodhpur, Kotah, Udaipur and Jaipur respectively; and

- (2) the City Magistrate, Bikaner, as Census Officer, to be designated as Deputy District Census Officer, for the city of Bikaner.

By Order of the Governor,
B. MEHTA,
Chief Secretary to Government.

Published in Raj. Raj-patra part IV (c) November 17, 1960 at page 473-474
General Administration Department 'A'

NOTIFICATION

Jaipur, October 25, 1960.

No. F. 34 (14) GA/A/60.—In exercise of the powers conferred by sub-section (2) of section 4 of the Census Act, 1948 (37 of 1948) and in partial modification of this Department Notification of even number dated the 12th April, 1960, the State Government hereby appoints the Sub-Divisional Officer, Amber, to be designated as Deputy District Census Officer for Jaipur District.

B. MEHTA,
Chief Secretary to Government.

Published in Raj. Raj-patra part I (b) dated February 23, 1961 at page 518 :

Revenue (B) Department

ORDER

Jaipur, January 12, 1961.

No. F. 4 (75) Rev. B/59 —In connection with the Live Stock Census, 1961, the State Government hereby appoints the following officers as Live Stock Census Officers in the areas of their respective jurisdiction :—

S.No.	Officers.	Jurisdiction.	Designation.
1.	Commissioners	In their respective Divisions.	Divisional Live Stock Census Officer.
2.	Collectors	In their respective Districts.	District Live Stock Census Officer.
3.	S. D. Os.	In their respective Sub Divisions.	Sub-Divisional Live Stock Census Officer.
4.	Tehsildars	In their respective tehsils.	Tehsil Live Stock Census Officer.
5.	Executive Officers or Secretaries, Municipal Board.	In their respective towns and cities.	Municipal Live Stock Census Officer.
6.	Land Records Inspectors.	In their respective circles.	Checkers Live Stock Census.
7.	Patwaris, School teachers, Govt. employees of other Deptts. viz. Pan-chayats etc.	In their respective Census blocks or places of posting.	Enumerators Live Stock Census.

R. K. CHATURVADY,
Secretary to the Government.

Rules and Notifications under

CHARITABLE ENDOWMENTS ACT 1890
(CENTRAL ACT 6 OF 1890).

The Rajasthan Charitable Endowments Rules, 1961.

Finance Department (W.M.)

NOTIFICATION

Dated, the 4th Oct., 1961.

No. F. 12 (21) F. W. M/52.—In exercise of the powers conferred by section 13 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Rajasthan hereby makes the following rules:—

1. *Title, extent and commencement.*—(1) These rules may be called the Rajasthan Charitable Endowments Rules, 1961.

(2) They extend to the whole of the State of Rajasthan and apply to charitable endowments, the objects of which do not extend beyond the State of Rajasthan.

(3) These rules shall come into force from a date that may be notified by the State Government in the official Gazette.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context—

(a) "The Act" means the Charitable Endowments Act, 1890 (Central Act VI of 1890);

(b) "Treasurer" means the Treasurer of Charitable Endowments for the State of Rajasthan

3. *Instructions to be followed while making proposals vesting.*—When proposals for vesting property in the Treasurer are submitted to the State Government, the following instructions should be carefully followed, namely:—

(1) The endowment must be for a charitable purpose as defined in section 2 of the Act, namely, relief of the poor, education, medical relief and the advancement of any other object of general public utility, but not including a purpose which relates exclusively to religious teaching or worship. An endowment which is partly for such a purpose and partly to benefit members of the donor's family may be accepted.

(2) Endowments for a purely religious purpose cannot be vested in the Treasurer.

(3) If it is proposed to associate persons in the service of the Central or any State Government in the management, the endowment should be of such a substantial amount and its objects of such public utility as to justify the time of such persons being employed in its management.

(4) In special cases no endowment with a capital of less than one thousand rupees will be accepted.

(5) In the proposal to the State Government it should be stated whether the scheme of administration should be published for objections before it is finally notified. If any doubt arises regarding the donor's absolute and exclusive ownership of the property, previous publication is of special importance.

(6) The vesting over should contain—

(a) A detailed description of the property to be vested—

(i) In the case of securities, the date of the loan, the amount and the number of each promissory note, bond and the like (If the number is not known, it may be simply stated as "Stock of per cent loan of or Rs),

(ii) In the case of immovable property, an accurate description of the property (Ordinarily the area, boundaries and Khasra or Khewat number should be specified);

(b) The income from the endowment should not be stated since in the case of securities it can easily be calculated and in the case of immovable property it is subject to variation.

(7) The scheme of administration shall contain a full explanation of the purpose of the endowment and particulars as to how and by whom the purpose is to be carried out. provision should also be made for the following matters:—

(i) The appointment of the president of the committee and the mode of filling a vacancy in the post if the president is not an ex-officio one;

(ii) The mode of filling vacancies in the Committee.

(iii) The appointment of a member of the committee by the President, if the vacancy is not filled in the prescribed manner within a certain period,

(iv) The manner of coming to a decision on matters on which the committee is divided (ordinarily the opinion of the majority will prevail and where there is an equality of votes, the chairman or president should have a second or casting vote,

(v) The number of the committee which will form a quorum.

- (vi) The appointment of a Secretary and the mode of filling his post on the occurrence of a vacancy,
- (vii) The number of times in a year the committee should ordinarily meet (with approximate date), discretion being left to the president to convene a meeting when he considers it necessary.
- (viii) The recording of proceedings of meetings and the keeping of accounts and books by the secretary.
- (ix) The placing of the income from the vested funds, received from the Treasurer, in a Savings Bank and the manner in which Savings are to be dealt with,
- (x) The audit of accounts.

*Note :—*The provision of sub-rule (7) will ordinarily not apply to trusts in which there are no committees appointed under the terms for their administration.

4. *Scrutiny of documents relating to title to landed properties.*—The Officer, if any, through whom the application for vesting is made to the State Government, should obtain from the applicant, before forwarding the application, all documents of title relating to the landed properties proposed to be vested in the Treasurer and have them examined by the Government pleader of the district. After scrutiny the Government pleader should certify whether, on a careful examination of the documents by him, the title of the applicant to the property, it is proposed to vest, is established or not. On receipt of a certificate in the affirmative the Officer should forward the application for vesting to the State Government and retain with him the original documents of title relating to the landed properties proposed to be vested and the Government pleader's certificate in respect thereof till the issue of the vesting order. As soon as the vesting order is published by the State Government in the official Gazette the original documents of title, and the Government pleader's certificate should be forwarded to the Treasurer for safe custody.

*Note :—*For the examination of the documents prescribed in this rule the Government pleader should be paid by the applicant a fee of Rs. 5 in petty cases and of Rs. 10 in those which the Officer considers substantial in view of either the value of the property or the amount of labour involved.

5. *Jurisdiction of Government to deal with trusts.*—Charitable endowments the objects of which do not extend beyond a single State and are not objects to which the executive authority of the Central Government extends are within the purview of the State Government and other charitable endowments fall within the purview of the central Government. The State Government has no jurisdiction in regard to endowments extending beyond a State. Every scheme of charitable endowments should, therefore first, be

examined from the point of view whether or not the State Government has jurisdiction to deal with it.

6. *Previous publication of vesting orders and schemes or administration.*—When the State Government is of opinion that a proposed vesting order or proposed scheme or modification of scheme should not be made or settled without previous publication, it shall publish a draft of the proposed order, Scheme or modification, or a proper abstract thereof signed by one of its secretaries, for the information of persons likely to be affected thereby.

Note.—No interference should be done under the Act, in cases of doubt or dispute and the jurisdiction of the courts in such cases should in practice be left unaffected by the Act. The cases with which the State Government will have to deal may, therefore, be divided into two classes, namely :—

(1) Cases of trusts whether already established or proposed to be established, but of which it may be confidently predicted that contention can arise, and (2) cases out of which contention may possibly arise, however remove or unlikely the contingency. To the first class will belong such cases as those of Railway schools and endowments in Government securities in general aid of the funds of specified dispensaries or schools. To the second class will belong most cases in which private persons apply for a vesting order of a scheme of modification of a scheme and all cases in which it is proposed to depart in any respect from the ascertained wishes or presumable intentions of the founder of an endowment. In cases belonging to the first class, previous publication of proposed vesting orders and of proposed schemes and modifications of schemes will ordinarily be unnecessary; in cases belonging to the second class, there should ordinarily be previous publication of such documents.

(2) The publication should be made in the official Gazette and in such other manner as the State Government may direct.

(3) There shall be published with the draft or abstract a notice specifying a date on or after which the proposed order, scheme or modification will be taken into further consideration.

(4) The State Government shall consider any objection or suggestion which it may receive from any person before such date with respect to the proposed order, scheme or modification.

7. *Treasurer's action on receipt of vesting order* :—When a copy of vesting order is received by the Treasurer, he shall make a note of it in form No. 7 (see Appendix 6) with a consecutive cases number and at once place himself in communication with the persons who appear therefrom to be holders of the documents of title relating to the propeter or of the securities mentioned in the order, and request them to forward the title deeds or securities in a registered cover insured for Rs. 100. The Government securities should accompany a covering list in duplicate in form No. 13 (see

Appendix M). These Government Promissory Note do not require to be endorsed, as the vesting orders operates to transfer the securities to the Treasurer.

(2) All copies of vesting orders received by the Treasurer will be filed together and will be numbered in consecutive order of their receipt; when a sufficient number have been received they will be bound in volumes. A note will be made on each vesting order of any entries in the registers mentioned here under, relating to the property vesting in the Treasurer under the order.

Note.—The receipt and disposal of securities for moneys vested in the Treasurer and of bank drafts, Remittance Transfer Receipts and the like received by him are watched through form No. 6 (see Appendix F).

8. *Accounts of securities for money.*—On the receipt of any securities for money or on their purchase by himself, the Treasurer will record their receipt in a register in form 1 (see Appendix A). He will also keep a separate account for each endowment in form No. 2 (see Appendix B) in which he will record all receipts including any amounts sent for investment, and all disbursements. In the cash account the Treasurer will record only his own transactions (such as the payment of money to the administrators) and not the transactions of the administrators of the endowment fund.

Note.—Separate stock registers in form No. 8 (see Appendix H) should be maintained for each kind of security to enable the Treasurer to keep a proper watch over the realisation of the half yearly interest from the Reserve Bank.

9. *Record of securities returned by the Treasurer.*—The Treasurer will keep a record in form No. 10 (see Appendix J) of all securities returned by him. The returns will also be entered in form No. 2 (see Appendix B) whereby the amount returned will be deducted from the capital of the endowment concerned.

10. *Distribution of interest on securities by the Treasurer.*—The Treasurer on receipt of any interest on securities will pass it through to General Trust interest Account under a special sub head "Interest on Charitable Endowments under Central Act VI of 1890." The interest will then be distributed to the various trusts concerned after deducting the fees referred to in rule 19. The amounts remitted should be entered in the respective ledger folios in form 2, part II (see Appendix B) of the trust.

Note.1—The receipt of the interest and its distribution to the trusts concerned are recorded in form No. 9 (see Appendix I) while the payments are authorised in form No. 11 (see Appendix K.)

Note.—The payment orders referred to above remain current for eight months only from the date of issue and require re-valida-

tion by the Treasurer after that period. With a view to securing prompt payments reminders are issued in form No. 14 (See Appendix N).

11. *Register of securities.*—The register in form No. 1 (see Appendix A) will show all securities vested in the Treasurer as such, whether actually held by him or by the Reserve Bank of India as his agents. In order to strike the balance actually held by the Treasurer in his own hands, a balance sheet in form No. 3 (see Appendix C) will be made out annually on 30th September and agreed with the actual securities in the Treasurer possession; such agreement will be certified on the balance sheet.

12. *Property other than securities.*—The Treasurer will enter in a register in form No. 4 (see Appendix D) any property other than securities which become vested in him, and will record in the same register against the original entry a note of any property of which he is divested.

13. *Publication of accounts.*—Under section 9 of the Act, the Treasurer shall balance and close annually on 30th September all the ledger accounts in form No. 2, parts I and II (see Appendix B) and publish in the official Gazette the list of properties held and other abstract accounts in form No 5 (see Appendix E) after they have been audited by the Examiner, Local Fund Accounts. The Treasurer will demand and receive acknowledgements in form No.12 (see Appendix L) from the administrators of the correctness of balances when published.

Note.—Part I of form No. 2 will relate to securities, and will also contain the abstract of accounts required by the Act to be published. Part II will relate to properties other than securities.

14. *Audit of Treasurer's accounts.*—The Treasurer's accounts will be audited annually by the Examiner, Local Fund Accounts, before publication of the accounts in the official Gazette.

15. *Transfer of charge of the Treasurer.*—At every change of the office of the Treasurer a formal transfer of charge should also take place and a separate report supported by a statement of the total of the balance of the funds vested in the Treasurer duly signed by the Relieved and Relieving Treasurers sent to the State Government. A list of securities in the safe custody of the Reserve Bank of India on behalf of the Treasurer as certified, by the Reserve Bank of India and those in the custody of the Treasurer as on the date of charge should also be prepared and signed by the Relieved and the Relieving Treasurers and sent to the State Government in the charge report to above.

16. *Custody of securities and title deeds relating to landed properties*—All securities vested in the Treasurer should be converted by him into Stock Certificates to be obtained in his official

designation, enfaced for payment of interest at his headquarters and kept in his own custody.

Securities (such as debentures, etc.) that are not available in the form of stock may be kept in the custody of the State Bank of Jaipur, whose usual commission for drawal and remittance of interest may be deducted from the amount of interest to the trust concerned.

The post office cash certificates should be transferred from the name of the holder to that of Treasurer, and also from the post office of their issue to that of the post office of his headquarters and kept in his safe custody.

The title deeds and other documentary proof showing the title of the donor on the vested landed properties, together with Government Pleader's Certificate of scrutiny as required in rule 4, should also be kept in the custody of the Treasurer.

17. *Securities for money to be accepted.*—No securities for money shall be accepted for the purpose of vesting in the Treasurer under sub-section (1) of section 4 of the Act, except the following :—

(a) bonds, debentures and annuities charged by law on the Consolidated fund of India;

(b) promissory notes, debentures, stock and other securities of the Central Government;

(c) stock or debentures of, or shares in, Railway or other companies, the interest thereon has been guaranteed by the Central Government;

(d) debentures or other securities for money issued by or on behalf of any local authority in exercise of powers conferred by an Act of the Legislature established in India;

(e) promissory notes, stock and other securities of the state Governments.

18. *Accounts of trusts consisting of immovable property*—In the cases of property other than securities for money, vested in the Treasurer the persons acting in the administration of the trust and having, under sub-section (3) of section 8 of the Act, the possession, management and control of the property and the application of the income thereof shall, in books to be kept by them, regularly enter or cause to be entered full and true accounts of all money received and paid on account of the trust, and shall on the demand of the State Government, submit annually to such public servant as the State Government may from time to time appoint in this behalf, in such form and at such time as the State Government may from time to time direct, an abstract of those accounts and such returns as to other matters relating to the administration of the trust as the State Government may from time to time see fit to require (see rules 23 and 24)

recorded in a register or immovable property in form 18 (see Appendix) which will be a permanent record. This register shall be verified by the secretary once a year;

- (b) when landed property belonging to the trust is given out on rent or is leased out the realisation of the demand shall be watched through the bahikhata in form No. 19 (see Appendix), a reference being made in the remarks column of the register of imovable property against the entry of the property concerned;
- (c) when lands are under direct management, the collecting agent shall be required to keep the following records:—
 - (i) a copy of the patwari's Khatauni which will be kept corrected up to date and will be signed annually by the Patwari and the collecting agent in token of its correctness and completeness,
 - (ii) a bahikhata in form No. 19 (see Appendix). At the beginning of each year a new bahikhata shall be prepared from that of the previous year. The entries in column 2, 3 and 6 shall be checked by the collecting agent and with the patwari's Khatauni when it is completely ready and the collecting agent shall, before the close of the revenue year, certify in token of general correctness. The bahikhata shall also be examined by the secretary, who shall check a certain percentage of the entries and record a certificate thereon that effect. Any discrepancy, discovered, shall be reported for orders;
 - (iii) a receipt book in form No 20 (see Appendix). Each receipt issued and its counterfoil will be signed by the collecting agent who will keep a progressive total of collections on the counterfoil of receipt from date of one remittance to another.
 - (iv) an annual statement in manuscript of demands collections and balances will be prepared from the bahikhata at the close of the year.

(24) *Annual balance sheet*:—At the close of the year, an annual balance sheet be prepared showing total receipt and expenditure under each head of the account and opening and closing balances. The balance sheet shall be signed by the secretary and the president and shall be considered and passed by the committee. It shall also be accompanied by an annual report showing the financial and administrative activities of the trust during the year.

(25) *Audit fees*:—The secretary of the trust fund shall pay such fee as may be prescribed by the State Government for the audit of the Examiner Local Fund Accounts or by a member of his staff.

APPENDIX

(Here give the forms mentioned in the foregoing rules.)

APPENDIX A

Form No. 1 (Rules 8 and 11)

Register of Securities held under Act VI of 1890.

S. No.	Date of receipt.	Name of donor	Nature of securities	Distinguishing number	Nominal value of each	Total value of each security.	Ledger folio.	Initials of the Treasurer or assistant in charge.
			warding letter	e. g., Government Securities $3\frac{1}{2}$ per cent.	of each security.	of each separate endowment.		
			of Charitable Endowment					
				Loan of 1865, Guaranteed Railway Debenture, etc. etc.				

APPENDIX (B) Form. No. 2 (Rules 8, 9, 10 and 13).

1. Name of endowment.
2. Particulars of vesting order.
3. When vested in Treasurer.
4. Names of Administrators.
5. To whom interest is to be sent.

PART I—ACCOUNTS OF CAPITAL.

Serial Number in Form I.	Particulars (e g. received or returned.).	Detail of securities (Distinguishing number, etc.).	Value of each security yearly interest.	Amount of half interest.	Date of which interest has been paid on receipt.	Initials of Treasurer or Assistant in charge.
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APPENDIX (B) PART II—CASH ACCOUNT.

Date.	Particulars.	Receipts. Amount.	Date.	Expenditure. Particulars. Amount.	Initials of Treasurer or Assistant in charge.
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APPENDIX (C)
Form No. 3 (Rule 11)
Balance Sheet.

Particulars.	Number and value of securities.		
	Number.	Value.	$\frac{\text{Value. Number. Value}}{\text{Total. Number Value}}$
Opening balance (from last year)		
Received during the year.			
Grand Total (a).			
Returned during the year.			
Sent to the Reserve Bank of India during the year.			
Total transferred or returned. (d).			
Closing balance difference between (a) & (b).			

Certified that the above closing has been compared with the Securities in Treasurer's possession and has been found to agree both as to number and value.

Designation of officer.

APPENDIX (F)

Form No. 6 (Note to Rule 7)

Register of G. P. Notes, Bank Drafts, R. T. R. Postal Cash Certificates, etc. Received and Disposed of

Number,	Receipts.		Disposal			Remarks
	From whom received.	Description. Value.	Date of receipt.	Branch Officer's initials on receipt.	To whom sent	Branch Officer's initials in token of issue.
				initials of Clerk incharge.		initials on final disposal

APPENDIX (G)

Form No. 7 (Rule 7)

Register of Receipt of Government Promissory Notes and Provincial, Railway, Municipal and Port Trust Debentures held in Trust under the Charitable Endowments Act VI of 1890.

No. of Case.	Date of receipt	Official designa- tion of whose behalf officer. the investm- ent is held.	Particulars of notes and debentures.		Disposal	Number	Remarks
			No. per cent.	Loan of. Amount	To what invest. ment.	of ack- nowled- gement in stock of Central office.	
				To what date in- terest has been paid.		of ack- nowled- gement in stock of Central office.	

APPENDIX (H)

Form No. 8 (Note to Rule 8).
Stock Account Government Securities of Percent Loan of (held under Charitable Endowments Act, VI of 18 90) per cent.

Folio S. Number of case in receipt account registers	Date of entry.	Name of the Trust.	Account of the investment.	To whom interest is to be remitted.	Amount of yearly interest.	Amount of deduction	Net amo-unt remi-ting each year half yearly interest.	Number of order remi-ting each year half yearly interest.	Remarks
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APPENDIX (I)

Form No. 9 (Note I to rule 10)
Disbursement Register of Interest on Charitable Endowments under Act VI of 1890.

Date of receipt.	Particulars of Demand	Amount.	Stock register number.	Interest orders issued.	Treasury Amount of half yearly interest.	Deduct Commi-ssion payable.	Net amount of pay-ment	Month
	Drafts from the Reserve Bank of India.			Number. Date upon which issued.				

APPENDIX (J)

Form No. 10 (Rule 9).

Stock Disposal Register of the

per cent.

S. N.	Date of entry.	To what person, found or trust the note belongs.	Number, of entry in Stock register.	Amount disposed of.	How disposed of.	Number of case in receipts register.
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PROVINCIAL
Current for eight months only from the date of issue.
OFFICE OF THE TREASURER, CHARI-
TABLE ENDOWMENTS, Rajasthan, Jaipur.
No. Dated the 19 .
Payment order for interest on charitable Endow-
ments under Act VI of 1890.
Fund
Administrator
The Treasury officer of.... is hereby autho-
rised to pay to the above Administrator, upon his
receiving this order the sum of (Rs.) Rupees.
.... and to charge the same in
his list of payment.
Investment of Rs. in % Govern.
ment securities of
Interest less deductions for the halfyear ending.

Designation of the officer.

Voucher No. of list for 19

Pay Rs.

Date Accountant.

TREASURY OFFICE

Form No. 11 (Note 1 to rule 10)
PROVINCIAL
Current for eight months only from the date
of issue.
OFFICE OF THE TREASURER, CHARI-
TABLE ENDOWMENTS, Rajasthan, Jaipur.
No. Dated the 19 .
Payment order for Interest on Charitable End-
owments under Act VI of 1890
Fund
Administrator
Treasury upon which issued
Amount of principal Rs. % of
Interest for half year ending 19

Details Rs. a. p.

Gross Interest.

Less Interest.

Net amount.

Designation of the officer,
Government of Rajasthan,
Jaipur.

APPENDIX L.

Form No. 12 (Rule 13)

Requisition for Certificate of Annual Balances of Charitable Endowments.

No. G. P. N., dated the... 19	(To be retained by the administrator office of the Treasurer, Charitable Endowments, Government of Rajasthan, Jaipur.	To be returned. Within a week signed by the Administrator and not by any other person. Reply (No dated the of 19
Endowment...	Dated The 19	To,
District...	To,	The..... Charitable Endowments, Government of Rajasthan, Jaipur.
Officer addressed	The	Sir,
.....	.....	In reply to your letter No. dated the ... of ... 19
.....	.....	I have the honour, in the name of the Committee of Management, to certify that the account of the ... for the year ending the ... 19 , as published in the Rajasthan Rajpatra part of the 19, is correct ...
Year ending the ... 19	With reference to rule 13 of the charitable Endowments rules, I have the honour to request that you will be good enough to certify, within a week of the receipt of this letter, to the correctness or otherwise of the account of ...	Not correct in following respects. Yours faithfully.
Account published in the Rajasthan Rajpatra part ... dated	for the year ending 30th September, 19... as published in Rajasthan Rajpatra Part, dated ...	Name Full designation District.
the ... ..	.....
(Signature)	.....
(Designation),	.....
Designation of officer.	.....

APPENDIX (M)

Form No. 13 (Rule 7)

Particulars of Securities Forwarded for Safe Custody to

Official designation officer.	Fund, person or Trust in whose behalf the investment is held.	Particulars of Note.				To what date interest has been paid.	Remarks.
		Number.	Percent.	Loan of.	Amount.		

APPENDIX (N)

Form No. 14 (Note 2 to rule 10)

Office of The Treasurer, Charitable Endowments, Government of Rajasthan.

Dy. No. of reply

Government Promissory Notes Section.

No. G. P. N. Dated Jaipur, the of 19

To

The

.....

.....

Sir,

I have the honour to inquire whether this office Interest Payment Order No. dated the ... of ... 19 , for Rs on account of interest for the half year ending the ... of ... 19 , on the security deposits of ... has been cashed, and if so, when? If it has not been cashed yet, please have it cashed as early as practicable, as the amount has been long outstanding the books of this office.

Designation of Officer.

APPENDIX (O)

Form No. 15 (Rule 23 (4))

Cash Book

(to be totalled, balanced closed and signed at the end of each month)

Receipts

Month and date	Particulars of receipt and from whom received	Serial number of receipt given or chalan	Amount Rs. a. p.	Date of deposit into savings Bank	Remarks
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Expenditure

Month and date	Particulars of charges and to whom paid	Number of disburse-ment voucher	Amount Rs. a. p.	Remarks.
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APPENDIX 'P'

Form no. 15 A (Rule 23 (7))

Contingent Bill

Voucher No.

Month.....

Serial No. sub-voucher	Description of charge and no. and date of authority for all charges requiring special sanction	Amount
------------------------	--	--------

Total Rs. (words)

I certify that the expenditure charged in this bill is consistent with the objects of the Trust, and that it could not, with due regard to the interests of the Trust, be avoided and also that the charges have been really paid.

Date

Pay Rupees.

Name.

Office

Secretary.

APPENDIX 'Q'

Form No. 16 (Rule 23 (9))

Register of Investment of securities.

S. No.	Date of investment.	Particulars of investments e. g., number & date of securities stock certificates etc.	Amount	Rate of interest.	Due date of receipt of interest.	Signature.	Date of recovery of interest and adjustment in account	Amount of interest received after deduction under rule 19, 20 and 21	Date of credit into savings bank account.	Signature	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12

APPENDIX 'R'

Form no.17 (Rule 23 (10))

Stock-Book

Date	Opening balance	Number or quantity of articles received.	Total	To whom issued or for what purpose.	Number or quantity of articles issued	Balance	Signature of officer or official issuing the article	Signature of recipient	Remarks.
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APPENDIX 'S'
Register of Improvable Property
Form no. 18 (Rule 23 (11) (a))

Serial number	Name of village and other	Immovable property	Description of property	Khata khawat	Land revenue, rates and cesses	Khasra number	Area	Description of encum- brances, if any	Remarks.
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APPENDIX 'T'

Bahikhata

Form No. 19 (Rules 23 (11) (b) and c (ii))

	Demand	Collections	Transferred to decrees	
Serial number				
Tenant's name				
No. Khata in Khatauni-khasra				
Date of termination of lease				
Nature of demand				
Amount of demand.				
Date				
No. of counterfoil of receipt				
Amount				
Progressive total				
Remission				
Amount				
Date				
Balance outstanding and car- ried over to next year.				

Receipt Book

Book No.	Received from	Book no.	Received from tenant of	Book no.
Receipt no.	tenant of	Receipt no....	mohal ... ..patti	Receipt no.
	mohal-drtti		village	
No.	village in Bahikhata	No.	in Bahikhata.	Coupon

[illegible]

Signature of collecting Agent.

Signature of collecting Agent.

राजपाल की आज्ञा से
रामसिंह जयपुर

NOTIFICATIONS UNDER
CHARITABLE ENDOWMENTS ACT, 1890

Published in Raj. Raj-patra Vol. 3 No. 123 Dated 8-12-1951 at page 769 :

GENERAL ADMINISTRATION DEPTT.

NOTIFICATIONS.

Jaipur, November 27/December 5, 1951.

No. F. 2 (290) 1 G, A. (A)/51.—In pursuance of sub-section (1) of section 3 of the Charitable Endowments Act, 1890 (VI of 1890), the Government of Rajasthan is pleased to appoint the Secretary to the Government of Rajasthan in the Finance Department to be the Treasurer of Charitable Endowments for Rajasthan.

Notifications under

CHARITABLE ENDOWMENTS ACT, 1890.

Published in Raj. Raj-patra part IV (c) dated February 12, 1959 at page 1414

General Administration Department 'A'

NOTIFICATION

Jaipur, January 21, 1959.

No. F. 1 (57) GA/A/56.—In pursuance of sub-section (1) of section 3 of the Charitable Endowments Act, 1890 (Central Act VI of 1890) and in supersession of Notification No. F. 2(290)-1/GA (A)/51, dated the 27th November, 1951 and of similar notifications for the appointment of a Treasurer of Charitable Endowments relating to the Abu, Ajmer and Sunel areas, the Government of Rajasthan hereby appoints the Secretary to the Government in the Finance Department to be the Treasurer of Charitable Endowments for the whole of the State of Rajasthan.

By Order of the Governor,
B. MEHTA
Chief Secretary to Government.

Notification under

RAJASTHAN CHARITABLE ENDOWMENTS RULES, 1961

REVENUE 'A' DEPARTMENT

Jaipur, June 16, 1965

Notification No. F. 3 (J) (5) Rev./A/65.—In pursuance of sub-rule (3) of rule 1 of the Rajasthan Charitable Endowments Rules, 1961, the State Government hereby notify that the said Rules, shall come into force immediately,

[Pub. in Raj. Gaz, Ex.4 (Ga)—Dt. 16.6-65]

Rules and Notifications under

CHRISTIAN MARRIAGE ACT 1872 (CENTRAL ACT
No. 15 OF 1872).

NOTIFICATIONS UNDER INDIAN CHRISTIAN MARRIAGE ACT, 1872

Published in Raj. Raj-patra Dated August 8, 1957 part IV (c) at page 334 to 336;

ENGLISH TRANSLATION

(Authorised by the Governor)

Law & Judicial (B) Department

NOTIFICATION

Jaipur, July 15, 1957.

No. F. 6 (4) LJ B/57(1).—In exercise of the powers conferred by section 7 of the Indian Christian Marriage Act, 1872 (XV of 1872), the State Government hereby declares that in a district where there is no Resident Marriage Registrar, the *Collector and District Magistrate* of such District, if a Christian, shall be considered and shall act as the Registrar of Marriages for the purpose of the said act.

2. This supersedes existing notification on the subject in force in any area of the State.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

NOTIFICATION

Jaipur, July 15, 1957.

No. F.6(4) LJ/B/57. (3)—In exercise of the powers conferred by sections 82 and 83 of the Indian Christian Marriage Act, 1872 (XV of 1872), the State Government hereby orders as follows:—

1. The fees chargeable under the said Act shall be as follows, namely :—

	Rs.
(i) For receiving and publishing a notice of marriage	8
(ii) For issuing a certificate for marriage by a Marriage Registrar ...	8
(iii) For registering a marriage by a Marriage Registrar :—	...
(a) in his office on a Sunday or public holiday	18
(b) in his office on any day other than a Sunday or public holiday	8
(c) at a place other than his office	23
(iv) For entering a protest against or prohibition of the issue of a certificate for marriage by a Marriage Registrar ...	15
(v) For searching each register book or book of certificates or a duplicate or copies thereof } ...	3
(vi) For giving a copy of an entry in the same under section 63 or 79.	

Provided that a Marriage Registrar may, at his discretion, remit any part, not exceeding one-half, of the fees specified above to persons who may appear to him to be in indigent circumstances :

Provided, further, that a Government Department shall not be liable to pay any of the fees specified above.

2. All fees received by Marriage Registrar in accordance with the above scale of fees shall be paid by him into the Government Treasury:

Provided that the Marriage Registrar may retain for himself Rs. 10/- when a marriage is registered by him under paragraph (a) of item (iii) of clause 1 and Rs. 15/- when a marriage is registered under paragraph (c) of the said item (iii), and shall pay such sum therefrom to his peon accompanying him at the time of the registration of the marriage as he thinks fit.

3. when any fees are charged by a person, other than a Marriage Registrar, who is authorised to solemnize a marriage, under items (i), (v) and (vi) of the above scale of fees, one-third of the fees so charged shall be paid by him into the Government Treasury and the balance may be retained by him.

4. This supersedes existing notifications on the subject in force in any area of the State.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

ENGLISH TRANSLATION

(Authorised by the Governor)

**LAW AND JUDICIAL (B) DEPARTMENT
NOTIFICATION**

Jaipur, July 15, 1957.

N. F. 6 (4) LJ/B/57 (4):—In exercise of the powers conferred by section 85 of the Indian Christian Marriage Act 1872 (XV of 1872), the State Government hereby declares that a District Judge shall within the local limits of the district for which he has jurisdiction under the law relating to Civil Courts for the time being in force, be deemed to be District judge for the purposes of the said Act.

2. This supersedes existing notifications on the subject in force in any area of the State.

By Order of the Governor,
PRABHU DAYAL LOIWAL;
Secretary to the Government

ENGLISH TRANSLATION

(Authorised by the Governor)

**LAW AND JUDICIAL (B) DEPARTMENT
NOTIFICATION**

Jaipur, July 15, 1957.

No. F. 6 (4) LJ/B/57 (2):—In exercise of the powers conferred by section 62 of the Indian Christian Marriage Act, 1872 (XV of 1872), the State Government hereby directs that the register book of marriages between Indian Christians Soleminised by any person licensed by the State Government under section 9 of the Act shall be in the form given in Schedule IV to the said Act.

2. This supersedes existing notifications on the subject in force in any area of the State.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Rules and Notifications under
CINEMAS (REGULATION) ACT, 1952 THE RAJASTHAN
(30 OF 1952).

RAJASTHAN CINEMAS (Regulation) RULES, 1953.

No. F. 12 (2) Home 11/53.—In exercise of the power conferred by section 10 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No. XXX of 1952), the Government of Rajasthan is pleased to make the following rules, namely :—

PART I. INTRODUCTORY.

1. *Title and commencement.*—(1) These rules may be called the Rajasthan Cinemas (Regulation) Rules, 1953.

(2) They shall come into force on the date of their first publication in the Rajasthan Gazette.

Notes

These rules have been framed in exercise of the powers conferred under section 10 of the Rajasthan Cinemas (Regulation) Act, 1952. The enabling section reads as under :—

The State Government may by notification in the Rajasthan Gazette, make rules:—

- (a) prescribing the terms, conditions and restrictions, if any, subject to which licences may be granted under this Act,
- (b) providing for the regulation of cinematograph exhibitions for securing the public safety,
- (c) prescribing the fees to be levied for licensing places for cinematograph exhibitions,
- (d) providing for the inspection of such places and of electric installations therein,
- (e) regulating sanitary arrangements therein,
- (f) prescribing the time within which and the conditions subject to which an appeal under sub-section (3) of section 5 of this Act may be preferred,
- (g) providing for any other matter which by this Act may be, or is required to be, prescribed, and
- (h) generally for carrying out the purposes of this Act.

The contravention of these rules is punishable under section 8 of the Act.

Rajasthan Cinematograph Ordinance, 1949 stands repealed by section 12 of the Act. The Rajasthan Cinematograph Rules, 1951 framed under the said Ordinance and published in Rajasthan Gazette, part IV-B dated 10-2-1951 are, therefore, no longer in force.

2. *Interpretation.*—(1) In these rules unless there is anything repugnant in the subject or context :—

(i) “Act” means the Rajasthan Cinemas (Regulation) Act, 1952;

(ii) “Auditorium” means that portion of a Cinema in which accommodation is provided for the audience or spectators to view the exhibition of films;

(iii) “Cinema” means the entire place licensed for Cinematograph exhibitions and includes all appurtenances, plant and apparatus located therein;

(iv) "Electric Inspector" means an inspector appointed by the State Government under the Indian Electricity Act, 1910;

(v) "Enclosure" means that portion of a cinema in which the Cinematograph apparatus is erected;

(vi) "Executive Engineer" means an officer of the Public Works Department of the State in charge of roads and buildings in the place where a cinema is situated;

(vii) "Exit" includes an emergency exit and any entrance usable by the public as an exit;

(viii) "Fire resisting material" means —

(a) burnt brick work, cement concrete and re-inforced brick work or cement concrete having a minimum cover of one inch,

(b) terra cotta blocks securely bonded provided that no side or web thereof is less than one and half inches in thickness,

(c) stone, tiles, sealed gypsum blocks, marble, iron, steel, copper, asbestos or zinc, or

(d) such other material as the Executive Engineer may approve.

(ix) "Form" means a form annexed to these Rules;

(x) "State Government" means the Government of Rajasthan;

(xi) "Licence" means a licence granted under and in accordance with these Rules and includes a temporary permit;

(xii) "Licensee" means a person who is granted a licence or a temporary permit in accordance with these Rules and includes his agent appointed for the purpose under intimation in writing to the licensing authority;

(xiii) "Part" means a part of these Rules.

(xiv) "Permanent building" means a building which is constructed for permanent use;

(xv) "Schedule" means the schedule appended to these rules;

(xvi) "Special cinematograph exhibition" means a cinematograph exhibition on a specified occasion or occasions at a place not ordinarily used for such purpose;

(xvii) "Temporary building" means a building which is not a permanent building and includes a booth, tent or similar structure;

(xviii) "Temporary enclosure" means that portion of a place licensed for special cinematograph exhibition or for a touring cinematograph where cinematograph apparatus is kept or erected or where films are stored and wound;

(*xix*) "Touring Cinematograph" means a cinematograph apparatus which is so adopted or constructed that it can be taken from place to place for the purpose of giving cinematograph exhibitions; and

(*xx*) "Winding Room" means that portion of the cinema in which cinematograph films are stored and wound.

(2) The General Clauses Act, 1897 of the Central Legislature shall apply to the interpretation of these Rules as it applies to the interpretation of a Central Act.

PART II

PROCEDURE IN GRANTING LICENCES.

Notes

The Cinematograph exhibitions are required to be licenced under section 3 of the Act. The licensing authority i. e. the District Magistrate is authorised under section 5 of the Act to grant licence under the Act. Sub-sections (1), and (2) of section 5 providing for the grant of licence require that :—

(1) The licensing authority shall not grant a licence under this Act unless it is satisfied that—

(a) the rules made under this Act have been substantially complied with, and

(b) adequate precautions have been taken in the place, in respect of which the licence is to be given, to provide for the safety of persons attending exhibition therein.

(2) Subject to the foregoing provisions of this section and to the control of the State Government, the licensing authority may grant licence under this Act to such persons as that authority thinks fit and on such terms and conditions and subject to such restrictions as it may determine—

The rules in this part have been framed for carrying out the provisions of these sections.

3. *Classes of licences.*—(1) Licences granted under section 3 of the Act shall be either annual or temporary.

(2) An annual licence in Form A shall only be granted subject to the provisions of section 3 of the Act and in accordance with the provisions of the rules in Part III in respect of a permanent building. It shall be valid for one year from the date of issue and shall be renewable on the application of the licensee.

(3) Subject to the provisions of the rules in Part III, a temporary licence in Form A may be granted in respect of a temporary building or in respect of any place, for exhibition, by means of a touring cinematograph or in respect of a special cinematograph exhibition. A temporary licence in respect of a touring cinematograph may be granted in the first instance for a period of two months. This period may, however, be extended upto a maximum period of six months and a licence may be granted to one or more than one applicant, but so that the aggregate period during which any touring cinematograph or cinematographs function at any one place shall not exceed six months in a calendar year. A fee of ten rupees may also be levied for the second or a subsequence licence.

(4) (a) All new licenses shall be granted for one year ending on the 31st of March. Similarly all licences already renewed at the commencement of these rules shall be deemed to have been renewed upto 31st of March next, and it shall be necessary for the licence holders to have their licences renewed for a further period of one year commencing from the 1st April. They shall however, be charged only so much fee for the renewal which becomes due for a year after deducting the excess paid by them for the period after 31st March at the time of previous renewal.

(b) All licences pending for renewal at the commencement of these rules shall be renewed only upto 31st March on payment of proportionate fee.

(5) All licences expiring after the commencement of these rules but before the 31st March shall only be renewed upto the 31st March on payment of proportionate fee after which fresh renewal for the next licence year (from 1st April to 31st March) shall be necessary on payment of the prescribed fee for the whole year.

4. *Application for licence.*—Every application for the grant or renewal of a licence shall be in writing and shall be signed by the applicant. A court fee of rupee one shall be payable thereon.

5. *Accompaniments of application for grant of annual licence.*—(1) An application for the grant as distinct from the renewal of an annual licence shall be accompanied by—

- (a) full particulars regarding the ownership of and all rights, in the cinema and in the cinematograph apparatus to be used therein;
- (b) complete plans, elevations and sections in duplicate of the cinema together with all erections or buildings drawn correctly to the scale of one eighth of an inch to one foot and showing the width of all stairways and the number of steps in each, the width of corridors, gangways and doorways the height of the cinematograph and of the plant for the generation or conversion of electrical energy;
- (c) a site plan in duplicate on a separate sheet drawn to the scale of one fortieth of an inch to one foot showing the position of the cinema in relation to any adjacent premises and to the public thoroughfares upon which the site of the cinema abuts, and the arrangements proposed for the parking of motor cars and other vehicles; and
- (d) specifications of the various materials used or proposed to be used in the construction of the building.

(2) The cardinal points of the compass shall be shown on the plans and the plans shall be so coloured as to distinguish the materials used in the construction of the building.

6. *Power to require plans etc. for applicants for grant of temporary licence.*—The licensing authority may require an applicant for the grant of a temporary licence to furnish such plans of the premises and such specifications as he may consider necessary.

7. *Application for renewal.*—An application for the renewal of an annual licence shall be made at least one month before the date of the expiry of the existing licence:

Provided that if the application for renewal is made after the prescribed date the licensing authority may nevertheless renew the licence on payment of the fee chargeable for a new licence.

8. *Issue of temporary permits.*—(1) If on an application for renewal of a licence the licensing authority does not for any reasons, before the date of the expiry of the licence, either renew and return the licence or refuse to renew the same, he may be granted a temporary permit in Form B.

(2) Such temporary permit shall be subject to the same conditions as the licence sought to be renewed and shall be valid for such period not exceeding two months as the licensing authority may direct:

Provided that the temporary permit shall cease to be valid and shall be surrendered to the licensing authority on the applicant receiving his licence duly renewed, or on his receiving an order refusing to renew the licence.

(3) A temporary permit issued under this rule shall during the period of its validity be deemed to be a licence for the purposes of the Act and these rules.

(4) A fee of ten rupees shall be levied for the grant of such temporary permit, provided that if in the opinion of the licensing authority the grant of a temporary permit has not been necessitated by the negligence of the licensee, the fee or a portion of it may be remitted.

(5) If at the end or during the period of two months for which the temporary permit was granted a licence for the whole year is issued to the licensee he should be charged licence fee as prescribed for the whole year less the amount paid as fee for the grant of temporary permit provided that the grant of temporary permit was not necessitated by any negligence or fault of the licence holder.

9. *Responsibilities of licensee.*—(1) The licensee shall be *Responsible* for compliance with the provisions of the Act, and of these rules and with the conditions of his licence, for the maintenance of licensed premises at all times and in all respects in conformity with the standards prescribed by these rules and for taking all necessary measures, before any cinematograph exhibition is commenced, to ensure the safety of the public and his employees against fire and other accidents.

(2) The licensee or some responsible person nominated by him in writing for the purpose shall be in general charge of the licen-

sed premises and the cinematograph during the whole time that any exhibition is in progress.

10. *Inspection previous to grant of licence.*—(1) Before granting an annual licence the licensing authority shall call upon.—

- (a) the Executive Engineer having jurisdiction to inspect and examine the structural features of the cinema and report whether the rules relating thereto have been duly complied with;
- (b) the Electric Inspector to inspect and examine the cinematograph and the electrical equipment to be used in the cinema and to report whether they comply with the requirements both of these rules and of the Indian Electricity Act, 1910 and of such of the rules made thereunder as are applicable and whether all reasonable precautions have been taken to protect spectators and employees from electric shock and to prevent the introduction of fire into the building through use of the electrical equipment;
- (c) The Medical Officer of health having jurisdiction to inspect and examine the cinema and to report whether the arrangements for sanitation conform to the requirements of these rules; and
- (d) the Regional Fire Officer having jurisdiction to inspect and examine the cinema and to report whether the prescribed fire extinguishing appliances have been provided and are in working order and whether the precautions taken against fire conform to the requirements of these Rules.

(2) In cases of renewals also the certificate and reports required under sub clause (1) may be obtained but the renewal of the licence shall not be refused, delayed or withheld simply for want of all or any one of the certificates or reports the same being obtained from the different Government Departments by direct correspondence between them and the licensing authority.

(3) Defects revealed by such inspections shall be brought to the notice of the applicant or licensee and of the licensing authority, who may refuse to grant or renew the licence unless and until they are remedied to his satisfaction.

Proviso (1)—Provided that in cases other than the grant of licence for the first time the licensing authority may give such time as may be reasonable in its discretion to the licensee to remove the defects revealed by inspections as specified in sub-clause 1 after the expiry of which the Licensing authority if the defects are not removed, may cancel or suspend the licence and may not revalidate it until the defects are reported to have been removed.

(2) Provided further that no second renewal be granted unless the certificates and reports called upon at the time of the first rene-

val are received before the expiry of the licence year for which they were meant and the licensing authority may make an inquiry into the cause of such delay and take or recommend such action as he may consider desirable against those responsible for the same.

11. *Inspection by licensing authority.*—The licensing AUTHORITY or any officer authorised by him in this behalf may at any time enter a place which he has reason to believe is being used or is intended to be used for the purpose of cinematograph exhibitions in order to satisfy himself that all the provisions of the Act, these rules and the conditions of the licence are being complied with.

12. *Inspection by other authorities.*—(1) The executive Engineer, Electric Inspector, Medical Officer of Health, Regional Fire Officer, Entertainment Tax Officer, Superintendent of Police or any officer deputed by any of them may at any time enter and inspect any cinema licensed under section 3 of the Act.

(2) Defects revealed by such inspection shall be brought to the notice of the licensee and shall also be reported to the licensing authority.

13. *Production of licence on demand.*—The licence and the plan and description, if any, attached thereto shall be produced on demand by the licensing authority or by any officer authorised by him or by these rules to enter a place licensed under section 3 of the Act.

14. *Additions and Alterations.*—No additions to or alterations of any portion of the cinema licensed under section 3 of the Act, necessitated by fire or any other calamity or cause, shall be made without the sanction of the licensing authority.

15. *Notice of additions or alterations.*—The licensee shall give notice in writing to the licensing authority of his intention to make any such additions or alterations and such notice shall be accompanied by complete plans, elevations and sections and specifications of the work proposed to be executed, drawn up in duplicate in the prescribed manner, while in the case of a temporary license such plans and specifications only shall be furnished as the licensing authority may consider necessary.

PART III

RULES REGARDING PERMANENT BUILDINGS.

Notes

Section 5 (a) of the Act provides that, - the rules made under this Act have been substantially complied with, and

The rules in this part have been framed for the requirements of this section read with section 10 of the Act.

16. *Situation.*—(1) No permanent building except that already licensed at the commencement of these rules shall be licensed for cinematograph exhibitions if it is situated:—

(a) within a radius of one furlong from—

- (i) any residential institution attached to a recognised educational institution such as a college, a high school or girls school; or
- (ii) a public hospital with a large indoor patient ward; or
- (iii) an orphanage containing one hundred or more inmates or

(b) in any thickly populated residential area which is either exclusively residential or reserved or used generally for residential as distinguished from business purposes.

(2) For the purpose of this rule, the District Magistrate shall, subject to the general control of the State Government, determine what is a hospital, a recognised educational institution, a large indoor patient ward or a thickly populated residential area, and his decision shall be final and conclusive:—

Provided that the District Magistrate may for sufficient reasons and with the prior approval of the State Government, relax this rule or any part thereof in any case and specially in the case of Cinemas already completed or nearing completion prior to the commencement of these rules:

Provided further that in relaxing this rule or any part thereof the State Government shall take into consideration the nature of the proposed building and whether or not it is sound proof or is within a radius of 50 feet from any petrol pump or any shop or store dealing in highly combustible material or is air conditioned.

17. *Cinemas not to be on or under other buildings.*—No cinema shall be constructed underneath or on top of any other building.

18. *Requirements of permanent buildings.*—(1) Every cinema shall have a road frontage on the public thoroughfare upon which its site abuts and in such frontage there shall be suitable means of entrance and exit for the public.

(2) Entrances and exits shall be reserved for service in case of emergency, opening on two separate and distinct passages leading either to the said public thoroughfares or to other suitable thoroughfares and such passages shall not be less than 5 feet in width.

(3) Every cinema shall have sufficient waiting space outside it for the public before performances to avoid crowding public roads.

(4) There shall be a car parking space provided within the compound walls of every cinema.

(5) The road frontage shall be of adequate length and width and the passages referred to in sub-rule (2) must have sufficient width to enable the audience to disperse quickly.

19. *Structure to be fireproofed.*—Every cinema shall be enclosed with proper internal or party walls of brick or stone and the floors, tiers and roof of the auditorium and all parts used by the public shall be constructed of fire resisting materials to the satisfaction of the licensing authority.

20. *Galleries.*—No galleries or tiers shall be erected in the cinema unless constructed of fire-resisting materials and no wooden parts shall be used for the support of such galleries or tiers.

21. *Stage.*—All the wood work of the stage shall be rendered unflammable and shall be of hard wood.

22. *Auditorium.*—(1) Wherever it is practicable, the Auditorium shall be rendered air conditioned and ceiling fans shall be provided in the Boxes, Zenana galleries and at other suitable places. The number of ceiling and exhausts fans shall be fixed by the Medical Officer of Health having jurisdiction.

(2) No open space shall be allowed under the floor of the auditorium.

(3) The floor, roof, private boxes, balconies, galleries, tiers, partitions and every room, lobby, corridor and passage devoted to the use of the public shall be constructed of fire resisting materials.

(4) No soft wood or other inflammable wall, linings, partitions, screens or barriers shall be used in any part of the auditorium and no cavities shall be left behind any linings.

(5) The fronts of the private boxes and each tier shall be formed of fireproof material except the capping which may be of wood.

23. *Height of tiers.*—Where the first tier or balcony extends over the pit or stalls the height between the floor of the pit and such tier or balcony shall not be at any part less than 10 feet; the height between the floor of the highest part of the gallery and the lowest part of the ceiling over the same shall not be less than 12 feet. The height between the several tiers shall in no case be less than 8 feet.

24. *Seating.*—(1) The auditorium shall provide seating accommodation for the public according to the following scale :—

(a) Stalls and balcony not more than 50 individuals for every 100 Sqr. feet of the total Floor area.

(b) Other tiers.—not more than 22 individuals for every 100 square feet of the total Floor Area.

(c) Gallery or top tier—not more than 25 individuals for every 100 square feet of the total Floor area.

(d) Other parts—not more than 30 individuals for every 100 square feet of the total Floor Area.

(2) The rows of seats shall be so arranged as to leave a clear space of not less than 15 inches between the back of one seat and the foremost portion of the seat in the row behind measured between perpendiculars.

(3) All seats in the auditorium, excepting those contained in private boxes shall be firmly secured to the floor and shall be provided with backs. Chairs with folding seats shall be provided wherever required by the licensing authority.

(4) No seat shall be (a) less than 30 inches by 18 inches in area, (b) less than 25 feet from the screen, and (c) outside a line drawn at 25 degrees from the screen centre.

25. *Gangway*.—(1) Passages or gangways not less than 4 feet wide shall be formed at the sides and down the centre of the seating in every part of the auditorium in such a manner that no seat shall be 12 feet 6 inches from such passage or gangway measured in the line of seating.

Proviso (1) Provided that if the total width of the auditorium is less than 33 feet of the Central passage or gangway shall not be considered necessary.

(2) Where possible, gradients or inclined planes shall be used instead of steps but no gradient or inclined plan shall be steeper than 1 in 12.

26. *Corridors*.—(1) No corridor shall be used as a clock room and no pegs for hanging hats, clocks, or the like shall be allowed therein nor shall any corridors be used for storage purposes or for any purpose whatever except for exit and entrance from and to the auditorium.

(2) There shall be no recesses or projections in the walls of such passages, gangways or corridors within 5 feet of the ground.

(3) No corridor leading to any staircase communicating with any exit shall be less than 5 feet in width in any part thereof.

27. *Exits*.—(1) Two separate and easily accessible exits, not opening on the same thoroughfare or public passage, shall be provided from the auditorium floor and from every tier which accommodates not more than 300 individuals, and where the auditorium floor or any tier accommodates more than 300 individuals, exits shall be provided at the rate of one for every 150 individuals and one for any less number in excess. Each of such exits shall not be less than 4 feet 6 inches wide between the leaves of the door, when open.

(2) A common place of egress may serve as the exit for the floor of the auditorium and the first tier, provided its capacity be equal to the aggregate capacity prescribed by these rules for the necessary outlets from such floor and tier.

(3) For any auditorium floor or any tier which does not accommodate more than 200 individuals two 4 feet exits only will be required.

(4) If the auditorium floor or any tier shall be divided into two or more parts, exits as prescribed in the rules shall be provided for each such part.

(5) It shall be compulsory on the management of the cinema premises to allow the public to leave by all exit doors.

28. *Exit notices*.—(1) All exits and any other doors or openings intended to be used for the purposes of exits shall be indicated by notices in English or Hindi, the letters being not less than 6

inches in height over such doors at least 6 feet 9 inches above the floor.

(2) The words "No Exit" shall be similarly pointed over all doors or opening which are in sight of the audience, but which cannot be used as exits.

29. *Projection Room.*—(1) The projection room shall be of the following minimum size.

Projection wall 12 ft.

Side walls 10 ft.

Height 8 ft.

(2) The construction shall be of fire resisting materials, stone slabs shall not be used for roof or floor and the door shall be of steel and of self closing type.

(3) Projection and observation posts shall be maximum 8 inches square, glazed with plate glass and shall have automatic closing metal shutters with master control.

(4) Extract fans for ventilation shall be provided and fume chimneys over projectors shall be used. One chemical fire extinguisher, one bucket of sand and one wet blanket shall be kept always inside the room.

30. *Re-wind room.*—Re-wind room shall be separate from projection room and its minimum size shall be 8 feet by 8 feet high. It shall not be used for purposes other than re-winding and storing films not in use. All films shall be stored in metal boxes.

31. *Clock rooms.*—Where clock rooms are provided they shall be so situated that the use of them shall not obstruct the free use of any exit.

32. *Doors*—(1) All outside doors for the use of the public shall be made to open outwards and all internal doors shall be hung so as not to obstruct, when open any gangway, passage, stairway for landing. Such doors when open should engage on an automatic spring.

(2) All such doors may be kept closed but not bolted during a performance or exhibition, provided an attendant is placed in charge of each such door whose duty it shall be to throw open the door in case of emergency.

(3) All exit doors having fastenings shall be fastened by automatic or panic bolts only, of a pattern and in a position to be approved by the licensing authority, but where such doors are also to be used by the public for entrances they may be fitted with lever or other approved fastenings in approved positions. Doors so fitted however must not be fastened so long as any of the public are on the premises.

(4) All barriers and internal exit doors shall be made to swing or to open outwards with no other fittings than automatic bolts.

(5) No doors, handles or other fittings shall project into exit ways more than one inch when the doors are open, and no locks,

monkey tails, flush or barrel bolt, or locking bars or other obstructions to exit, other than as before mentioned shall be fitted on any doors, gates or barriers.

33. *Stair cases*.—(1) All stair cases shall be constructed entirely of stone, cement or concrete with fire resisting roof and ceiling and shall have solid rectangular (as distinguished from spandril) steps and landings of approved stone or of such other fire resisting material and construction as may be approved by the licensing authority with the treads not less than 11 inches wide and with risers of not more than 7 inches high (each lapping at least one inch over the back edge of the step below it) in flights of not more than 15 or less than 3 steps.

(2) The staircases shall not be less than five feet wide provided that where the seating to which they lead is less than 200, they may be four feet wide.

(3) The treads and risers of steps on each flight shall be of uniform width and height.

(4) The several flights of such steps shall be properly supported and enclosed to the satisfaction of the licensing authority.

(5) No staircases shall have more than two flights of 15 steps without a turn and the width of the landing between such flights shall be at least the same as the width of the staircase.

(6) The floors of all landings shall be 6 inches thick.

(7) Every staircase forming an exit from an upper gallery or tier of the auditorium shall be enclosed on both sides with walls of brick or of fire proof materials in the stories through which it passes, and no openings shall be made into the auditorium except the one required for exit from the gallery or tier which it serves:

Provided that staircase leading to the first or lower gallery or tier may be left open on one side in which case the open side shall be provided by extra stout handrails and baulsters but in no case shall staircases be left open on both sides.

(8) All enclosed staircases shall have on both sides strong handrails firmly secured to the walls by strong metal brackets about 3 inches clear therefrom and about 3 feet above the stairs but such handrails shall not run on level platforms and landing where the same is more in length than the width of the stairs.

(9) Stairs turning at an angle shall have a proper landing without winders being introduced at the turn.

34. *Projections and Recesses*.—There shall be no recesses or projections in the walls of such staircases within 5 feet of the floor, and any fittings for lighting shall be at least 6 feet 8 inches above the steps or landing.

35. *Chemical fire extinguishers*.—(1) Chemical extinguishers of an approved type and of at least 3 gallons capacity shall be provided in such number as the licensing authority may from time to time direct and shall be placed on brackets four feet from the ground.

und. Directions for using them should in all cases be prominently painted on the extinguisher or on a card placed over the extinguishers and the attention of the public shall be directed to them by placards legibly printed and fixed immediately above them to the satisfaction of the licensing authority.

(2) Chemical extinguishers shall be renewed or well cleaned and recharged every 12 months, a record of which shall be kept for inspection.

36. *Fire buckets*.—Fire buckets shall be provided on the stage at the switch board and at similar places in such numbers as the licensing authority may direct and shall be kept at all times full of water which shall be changed at least once a week. Pierced pipes shall be fixed over the proscenium curtain and shall be controlled from an approved position in the auditorium.

37. *Fire Regulations*.—(1) The regulations to be followed in case of fire should be always posted in some conspicuous place so that all people concerned shall be acquainted with their contents.

(2) A report of any fire or alarm of fire, however slight, in the premises shall be at once sent to the store keeper, public works Department and to the nearest police station.

38. *Lights*.—Every portion of the cinema devoted to the use or accommodation of the public and also all outlets leading outside the cinema including the corridors shall be well and properly lighted during every performance and the same shall be lighted until the entire public have left such premises

39. *Additional lights*.—All "Exit" signs shall be fitted with an auxiliary bulb capable of properly illuminating the sign; the bulb shall be fed from dry batteries or accumulators, which shall be kept in proper working order, the switch for the auxiliary bulbs to be fixed in an easily accessible position in the corridor and not inside the auditorium.

40. *Electric lighting* —(1) Where electric light is reasonably available for use, no other illuminant shall be used for the purpose of the exhibition, the choking coils, switches, and fuses being installed in accordance with the instructions issued by the Electric Inspector from time to time. In any case no illuminant other than electric light or lime light shall be used for such purposes.

(2) The general lighting of the auditorium and exits shall not be controlled solely from within the enclosure.

41. *Engines, Boilers and Dynamos*.—(1) Where electric light is not available, all lime light supply tanks, boilers and engines and dynamos with engines used in connection with the premises shall be placed in ventilated buildings of fireproof construction, and shall be separated from the cinema house and from each other by brick walls and fireproof floors, and shall be enclosed on one or more sides by external walls. All door ways in such building shall have iron doors.

(2) No coal, coke, wood or other combustible material shall be so stored or placed that it is likely to be affected by the head of the furnace, boiler or other heating apparatus.

(3) No petrol driven engines shall be allowed for generating electric current unless they are fixed in a fireproof compartment at least 10 feet from any other building.

(4) Every fly wheel directly connected with an engine or other mechanical power and any part of the machinery which may be dangerous if left unfenced shall be kept securely fenced.

42. *Check Boxes*.—All Check Boxes shall be fixed and placed in such positions that they will not obstruct the exits.

43. *Telephone*.—Every Cinema shall be provided with a telephone where available, which shall be fitted in such place and manner as the licensing authority may direct.

44. *Latrine and Urinals*.—(1) Every Cinema shall be provided with separate latrines and urinals for the use of males and females. Such latrines shall be respectively to a minimum scale of one and two per hundred Seats.

(2) In places where water supply is available water flushed latrines and urinals shall be provided, and where such supply is not available they shall be detached from the main building and shall be maintained in a sanitary condition and shall be drained in a soak pit.

(3) Water flushed latrines and urinals shall discharge into a septic tank or sewer, which shall be at least 16 feet by 3 feet by 6 feet deep and shall be provided with two main holes with covers, sluge pipes, valves and chambers for cleaning. Effluent from such tank and sewer, shall discharge into a soak pit.

(4) Latrines and urinals shall be constructed and maintained to the satisfaction of the Medical Officer of Health and shall be cleaned and rendered effectively disinfected after each performance.

45. *Spittoons*.—(1) Every Cinema shall be provided to the satisfaction of the Medical Officer of Health with a sufficient number of spittoons in suitable places for the use of the public.

(2) The spittoons shall contain a strong disinfectant and shall be emptied after each performance.

(3) Notices directing the attention of the public to the spittoons shall be provided in prominent places.

46. *Enclosure for Apparatus*.—(1) The Cinematograph machines shall be placed in a permanent enclosure of sufficient dimensions to allow the operator to work freely. The enclosure shall be substantially constructed of fire-resisting materials or lined with the same.

(2) The entrance to the enclosure shall be fitted with a closely fitting door of fire-resisting material suitably placed and opening outwards and all openings, buses and joints shall be so constructed

and maintained as to prevent, so far as possible, the escape of any smoke into the auditorium. If means of ventilation are provided they shall not be allowed to communicate direct with the auditorium.

(3) Openings not exceeding six in number shall be permitted in the front face of the enclosure, the central one of which must not exceed 8 inches square and those on each side 6 inches square. The projector opening must not exceed 8 inches square and the other 6 inches square. Each opening shall be fitted with a screen of fire resisting material capable of being actuated both from the inside and from the outside of the enclosure.

(4) The necessary pipes and cables shall enter through efficiently bushed openings.

(5) No unnecessary combustible material shall be allowed within the enclosure, and as far as possible all necessary combustible material, films, and the like, when not in use shall be kept in fire-proof receptacles suitable for the purpose.

47. *Projector machine*.—(1) The cinematograph machine shall be placed on firm supports of fire resisting materials.

(2) The body of the machine shall be constructed of metal or lined with metal and asbestos in which case there must be an air space between the metal and the asbestos lining. The bottom of the machine must form a metal tray which shall be surrounded by a vertical edge at least one inch in depth.

(3) It shall be provided with a metal shutter which shall fall automatically against the film gate, between it and the source of light.

(4) The shutter shall automatically drop in the event of any accident to the machine or stoppage of the film and shall automatically rise only when the film is in motion for the purpose of projection.

(5) The film gate shall be of massive construction and provided with ample heat radiating surface and the passage for the film shall be sufficiently narrow to prevent halm travelling upwards or downwards from the light opening.

(6) All cinematograph projectors shall be fitted with two metal film boxes of substantial construction and more than 17½ inches in diameter, inside measurement to and from which the films shall be made to travel.

(7) Such boxes shall be of approved construction, shall be made to dose in a manner which will present the ingress of fire and shall be fitted with a film slot so constructed as to prevent the passage of flame to the interior of the film box.

(8) Spools shall be chained or gear driven and films shall be wound upon spools so that the wound film shall not at any time reach or project beyond the edges of the flanges of the spool.

(9) All films when not in the cinematograph machine and while still in the enclosure, shall be contained in closed metal boxes.

48. *Electric Installation inside the enclosure.*—(1) Within the enclosure the insulating material of all electric cables including 'leads' to lamps in the enclosure shall be covered with fire resisting material.

(2) There shall be no coils of slack electric cable with the enclosure. The 'leads' to the cinematograph lamp shall, unless conveyed within a metal pipe or other suitable casing, be kept well apart both within and without the enclosure and so run that the course of each may be readily traced.

(3) No electric current at a higher pressure than 110 volts shall be used within the enclosure when a cinematograph apparatus is working.

(4) The cables for the cinematograph machine shall be taken as a separate circuit from the source of supply and from the supply side of the main fuses in the general lighting circuit on the premises and there shall be efficient switches and fuses inserted at the point where the supply taken and, in addition an efficient doublepole switch shall be fitted in the cinematograph lamp circuit inside the enclosure.

(5) Resistance frames shall be made entirely of fire-resisting material and shall be so constructed and maintained that no coil or other part shall at any time become unduly heated. All resistances with the exception of resistance for regulating purposes shall be placed outside the enclosure and if reasonably practicable outside the auditorium if inside the auditorium they shall be adequately protected by a wire guard or other efficient means of preventing accident contact. They shall not be permitted to become so heated that a piece of dry newspaper placed in contact with any part of the resistance would readily ignite.

49. *Provisions relating to use of limelight.*—(1) If limelight is used in the cinematograph lantern the oxygen and hydrogen gas shall be contained in cylinders and each such cylinder shall be accompanied by a certificate signed by the manufacturers to the effect that it has been tested and filled in conformity with the requirements set out in the schedule. The tubing shall be of sufficient strength to resist pressure from without and shall be properly connected up.

(2) No gas shall be stored or used except in containers in accordance with the requirements contained in the schedule.

(3) No ether or volatile and inflammable liquids shall be employed under any circumstances for producing light.

50. *Fire precautions in the enclosure.*—(1) Two liquid chemical extinguishers, one bucket of sand, two buckets of water and a damp blanket shall be kept inside the enclosure. A large sponge shall be kept in one of the buckets of water. One liquid chemical extinguisher shall also be kept immediately outside the enclosure.

(2) No smoking shall at any time be permitted within the enclosure or the auditorium.

51. *Winding Room.*—(1) The winding room shall be constructed entirely of fire-resisting materials and shall be large enough to allow the winder to operate freely. It shall be constituted apart from the projection room and auditorium, but the licensing authority may, for reasons to be recorded, permit the winding room to adjoin the projection room. The winding room shall have no openings in the wall so as to permit communication with the auditorium or public passage ways.

(2) The winding room shall be closed by a closely fitting self-closing door of fire resisting materials which shall only be open for ingress and egress and shall remain closed during the entire period that the cinematograph exhibition is in progress. Suitable arrangements shall be made for ventilation in the winding room and one or more electric fans of suitable dimensions shall be provided by the licensee.

(3) Only electric lines shall be used in the winding room and any lamps in proximity to the film shall be closed in a stout fitting design to prevent breakage of the bulb.

(4) The spools shall be chain or gear driven and films shall be so wound upon the spools that the wound film shall not, at any time, reach or project the edges of the flanges of the spool.

(5) The winding of films shall not be carried out in the projection room while an exhibition is in progress.

(6) Excepting a film which is being wound or stored, no inflammable article shall unnecessarily be taken into or be allowed to remain in the winding room.

(7) All cinemas in permanent buildings shall, without exception, be required to provide and use a winding room in accordance with the above requirements.

PART IV.

RULES REGARDING TEMPORARY BUILDINGS OR ENCLOSURES AND SPECIAL CINEMATOGRAPH EXHIBITIONS.

52. *Requirements of temporary enclosure.*—A temporary enclosure shall fulfil the following requirements :—

(1) It shall consist of a smoke-proof box constructed of sheet iron or steel on a substantial frame work and securely fastened together. The internal height from the floor to roof shall be at least ten feet. The floor shall be forty-eight square feet. The room shall be of such width as may allow sufficient space behind the machine for the operators to pass easily.

(2) All apparatus within a temporary enclosure shall satisfy the requirements prescribed for similar apparatus in a permanent building except that such apparatus may be of a portable type.

53. *Conditions in respect of touring cinemas.*—The cinematograph apparatus shall have been certified by the Electric Inspector within a year of the date on which the exhibition is given to be useable without danger to the public.

54. *Inspection of touring cinematographs.*—(1) Touring Cinematographs used for giving public exhibitions shall be brought for the purpose of annual inspection by the Electric Inspector to a town where a licence under the Act has been granted.

(2) If after such inspection the Electric Inspector is satisfied that a touring cinematograph is useable without danger to the public he shall issue a certificate to this effect.

55. *Exhibitions in tents etc.*—In the case of exhibitions given in tent or booth or in any shelter or structure composed of, or covered with, combustible materials or of a moveable character the cinematograph apparatus shall be operated from outside such tent, booth, shelter or structure and shall be placed at a distance of atleast six feet therefrom.

56. *Only qualified operator to remain present.*—No person other than a qualified operator, employed by the licensee and holding a certificate granted by the Electric Inspector or an apprentice duly authorised by the licensee under rule 70 shall be allowed to enter or to be in the enclosure or the 'reserved space' while an exhibition is in progress.

57. *Inflammable articles and smoking prohibited.*—No inflammable article shall unnecessarily be taken into, or allowed to remain in, the enclosure or 'reserve space'; no smoking shall be permitted therein and no lime-light shall be used therein.

58. *Drapery and unprotected combustible materials.*—No drapery and no unprotected combustible materials other than such materials as may compose the floor shall be within six feet of the cinematograph apparatus.

59. *Fire appliances.*—The following fire appliances shall be provided viz. a bucket of sand, two buckets of water, a damp blanket and one portable chemical fire extinguisher of pattern, class and capacity approved by the licensing authority and such other appliances as the licensing authority may prescribe. They shall be so disposed as to be readily available for use in case of fire within the enclosure.

60. *Films not in use.*—All films not in use shall be kept in securely closed fire resisting receptacles.

61. *Means of exit.*—(1) Adequate means of exit shall be provided as prescribed by the licensing authority.

(2) Without prejudice to the generality of the foregoing sub-rule, no tent, booth or similar structure shall be used for the purpose of a cinematograph exhibition if it is enclosed by a wall or walls which do not permit of adequate means of egress and which are erected within 30 feet of such tent, booth or similar structure.

62. *Seating.*—The seating shall be so arranged as not to interfere with free access to exits, and both exits and passages and gangways leading to them shall throughout the performance be kept clear of all obstacles.

63. *Touring cinematographs to be licensed only where there is no permanent cinema.*—Licences to touring cinematographs shall only be granted for places where there are no permanent cinemas.

64. *Pandal used during special cinematograph exhibitions or by touring cinematographs.*—(1) In every pandal construction of inflammable material, there shall be kept on each side an opening at least seven feet high and eighteen feet wide. The opening may be closed by lattis fixed on split bamboo frame, fastened by twine on the inside but so to be easily removable.

(2) Doors and openings not ordinarily in use may be covered or closed by mats, screen or similar material so as to prevent removal by light pressure from inside building or structure.

65. *Notice for special cinematograph exhibition.*—No cinematograph exhibition shall be given in any premises where such exhibition is not a regular feature, unless notice has been given, at least ten clear days before the exhibition is due, to the licensing authority.

66. *Exemption of special cinematograph exhibitions from certain provisions or rules.*—Where a cinematograph exhibition is to be given in an institution, club or other place and it is not practicable to provide therefor a fire-proof enclosure the licensing authority may, for reasons to be recorded, dispense with the requirements of any of the foregoing rules. A space of six feet shall, however, be railed off all around the cinematograph apparatus if the provisions applicable to temporary enclosure are for any reasons relaxed. No drapery and no unprotected combustible material other than film or that composed by the floor shall be within six feet of the cinematograph apparatus. Adequate precautions shall be taken against the probable out-break of fire and for the safety of the film.

PART V

LICENCE AND OTHER FEES.

Notes

The rules in this part have been framed in pursuance of clause (c) of section 10 which requires the State Government to prescribe the fees to be levied for licensing places for cinematograph exhibitions.

67. *Fees.*—The fees shown in the following table shall be charged for the grant and renewal of licences and for inspections.

Table of fees.

	Rs.
1. For the grant of an annual licence	300
2. For renewal of an annual licence	200
3. For a temporary licence for each week or part of a week	10
4. For the grant of a duplicate of an annual licence	10
5. For an inspection by the Executive Engineer for the grant or renewal of a licence.	
(i) for the first inspection	50

- (ii) for any subsequent inspection that may be necessary such sum not exceeding Rs. 50/- as the licensing authority may determine.

6. For an inspection by the Electric Inspector for the grant of renewal of an annual licence.

- (i) for the first inspection 50
 (ii) for any subsequent inspection that may be necessary, such sum not exceeding Rs. 50/- as the licensing authority may determine.

7. For an inspection by the Medical Officer of Health for the grant or renewal of a licence.

- (i) for the first inspection 50
 (ii) for any subsequent inspection that may be necessary, such sum not exceeding Rs. 50/- as the licensing authority may determine.

8. For an inspection by the Regional Fire Officer for the grant of renewal of a licence.

- (i) for the first inspection. ... 50
 (ii) for any subsequent inspection that may be necessary, such sum not exceeding Rs. 50/- as the licensing authority may determine.

9. For an inspection by the Electric Inspector of a touring cinematograph.

- (i) for the first inspection. ... 30
 (ii) for any subsequent inspection that may be necessary, such sum not exceeding Rs. 30/- as the licensing authority may determine.
 (iii) for supplying duplicate copies of fitness certificates to touring cinematographs. ... 2

10. For an inspection made by the Executive Engineer or the Electric Inspector of the Medical Officer of Health or the Regional Fire Officer during the currency of a licence under the written orders of the licensing authority, such sum not exceeding Rs. 100/- as the licensing authority may determine.

PART VI.

OPERATORS AND APPRENTICES.

68. *Certification of operators.*—(1) During an exhibition the enclosure shall be in charge of a qualified operator of not less than 18 years of age, who holds a certificate in Form C granted by the Electric Inspector to the effect that he is competent to handle and operate a cinematograph.

(2) An operator shall not be granted a certificate unless he—

- (a) possesses a working knowledge of cinematograph machine and a particular technical knowledge of the type of machine which he is at the time employed in operating,

- (b) is already conversant with the rules relating to cinematograph exhibitions and precautions against fire,
- (c) is acquainted with the most speedy and effective methods of dealing with fire,
- (d) possesses a fine knowledge of the elements of electric power direct and alternating current, voltage and the like, and
- (e) is proficient in the handling, winding, repairing and efficient cleaning of films.
- (f) An operator may obtain a certificate from the Electric Inspector having jurisdiction by presenting himself within a period of 3 months from the date of his appointment, before the said Inspector at his Headquarters or at any other place the Inspector can examine the operator. If, for valid reasons the Inspector is not in a position to examine the applicant he may extend the time limit not exceeding 2 months in writing to the applicant under intimation to the Licensing Authority.

(3) The Electric Inspector, may for reasons to be recorded in writing, withdraw a certificate granted by him.

(4) In regard to the grant and withdrawal of certificate, the Electric Inspector shall act under the general supervision of the licensing authority.

(5) The fee for grant of a certificate shall be ten rupees and a duplicate copy thereof may be granted on payment of a fee of two rupees.

69. *Duties of Operators Incharge.*—The Operator-in-charge shall—

(a) be present in the enclosure and devote his whole attention to the cinematograph during the whole time that it is being operated;

(b) before the commencement of an exhibition, satisfy himself that all cables, leads, connections and fire extinguishing appliances in the enclosure are in proper working order;

(c) inspect the resistances, if not under constant observation, at least once during each performance and switch off the current if any fault is detected, and

(d) not allow the film to travel through the machine at a greater speed than 100 feet a minute.

70. *Apprentices.*—An apprentice duly authorised by the licensee may be allowed in the enclosure. Such apprentice shall not be less than sixteen years of age and shall not be permitted to operate the cinematograph apparatus except in the presence of the operator-in-charge.

71. *Person under drink prohibited from operating.*—No person shall operate a cinematograph or be within the enclosure while under the influence of liquor or any other intoxicant.

72. *List of Operators.*—Every licensee shall furnish the licensing authority with a list of operators employed by him and, whenever any operator is engaged by him, he shall furnish the Licensing Authority and the Electric Inspector with particulars regarding him before he is allowed to commence work.

PART VII.

MISCELLANEOUS.

73. *When licence may not be granted.*—No licence shall be granted or renewed in favour of any person unless (i) he or his agent is residing in the city, town or area within which the cinematograph exhibition is intended to be given, and (ii) the Licensing Authority is satisfied that the requirements of these rules have been fully complied with.

74. *Special conditons of a licence.*—In addition to the conditions laid down by the Act and these rules, the following conditions shall be deemed always to be inserted in every licence:—

(i) No firework shall be used as an adjunct to a cinematograph exhibition:

(ii) Save as the licensing authority may by written order permit, no loud speaker, gramophone, band, drum, bell, horn, whistle siren, or musical instrument of any kind shall be employed or allowed to be used as an advertisement or to attract attention in or outside the cinema nor shall any device be employed which is designed or serves to deliver the entertainment to persons outside the cinema.

(iii) No poster, advertisement, sketch, synopsis, or programme of a film shall be displayed, sold or supplied either in or anywhere outside the licensed place which is likely to be injurious to morality or to encourage or incite to crime or to lead to disorder offend the feelings of any section of the public or which contains offensive representations of living persons.

(iv) If any accident occurs in a licensed place and such accident results in personal injury or is likely to have resulted in personal injury or loss of life the licensee shall give notice in writing of such accident to the licensing authority, Chief Electrical Engineer, Government of Rajasthan within 24 hours of its occurrence; and if the accident results in loss of life, the notice shall be given by an express telegram to be confirmed in writing within 24 hours of the occurrence by the Chief Electrical Engineer to Government of Rajasthan or any officer specially appointed to assist him in this behalf, the licensee shall not interfere with or remove from the scene of the accident any electrical, mechanical apparatus, wiring, furnishing, etc. which may have been involved in the accident.

(v) No portion of any cinema house or its premises shall be occupied or used as a hotel, boarding or lodging house, factory, workshop or manufactory, or for storage or residential purposes except as the licensing authority may for the time being allow.

(vi) No public meeting, promenade concert, boxing, wrestling, dancing, music, public ball or any other public performance or entertainment shall be permitted in such premises without the consent of the licensing authority.

(vii) All parts of the cinema shall be properly and sufficiently ventilated.

(viii) The licensee shall conduct his occupation or business in an orderly manner.

(ix) The licensee shall in no way be regarded as not being subject to the laws in force for the time being with regard to liquor, intoxicating drugs and opium.

(x) No smoking shall at any time be permitted within the enclosure or the auditorium.

(xi) Free access to a cinema shall be given at all hours to any Police Officer attending the same in the execution of his duty and to the officers mentioned in rules 11 and 12.

(xii) No temporary or touring cinema shall be allowed to exhibit films for trade purposes within 5 miles radius of a permanent cinema.

75. *Period of appeal.*—An appeal under sub-section (3) of section 5 of the Act shall be preferred by the aggrieved person to the State Government in the Home Department within thirty days of the communication to him of the order of the licensing authority.

Notes

Sub-section (3) of section 5 of the Act giving this right of appeal provides that.—(3) Any person aggrieved by the decision of a licensing authority refusing to grant a licence under this Act may, within such time as may be prescribed, appeal to the State Government or to such officer as the State Government may specify in this behalf, and the State Government or the officer, as the case may be, may make such order in the case as it or he thinks fit.

By order of
His Highness the Rajpramukh,
S. D. UJWAL,
*Home Secretary to the Government of
Rajasthan.*

THE SCHEDULE

REQUIREMENTS FOR LIME-LIGHT CYLINDERS.

(Rule 49)

The gas cylinders shall be tested and filled in conformity with the requirements set out below :—

Cylinders of Compressed Gas (Oxygen, Hydrogen, or coal gas).

(a) *Lap-welded wrought iron*.—Greatest working pressure 120 atmospheres, or 1,800 lbs. per square inch.

Stress due to working pressure not to exceed $6\frac{1}{2}$ tons per square inch.

Proof pressure in Hydraulic test not to exceed 10% of the elastic stretch.

Only cylinder in 50 to be subject to a statical bending test, and to stand crushing nearly flat between two rounded knife-edges without cracking.

(b) *Lap-welded or seamless steel*.—Greatest working pressure, 120 atmospheres, or 1,800 lbs. per square inch.

Stress due to working pressure not to exceed $7\frac{1}{2}$ tons per square inch in lap-welded or 8 tons per square inch in seamless cylinders.

Carbon in steel not to exceed 0.25 percent or iron to be less than 99 per cent.

Tenacity of steel not to be less than 26 or more than 33 tons per square inch. Ultimate elongation not less than 1.2 inches in 8 inches. Testbar to be cut from finished annealed cylinder.

Proof pressure in Hydraulic test, after annealing 224 atmospheres, 3,360 lbs. per square inch.

Permanent stretch shown by water jacket not to exceed 10 per cent of elastic stretch.

One cylinder in 50 to be subject to statical bending test, and to stand crushing nearly flat between rounded knife-edges without cracking.

Regulations applicable to all cylinders.

Cylinders to be marked with a rotation number, a manufacturer's or owner's or owner's mark, and annealing mark with date, a test mark with date. The marks to be permanent and easily visible.

Testing to be repeated at least every two years, and annealing at least every four years.

A record to be kept for all tests.

Cylinders which fail in testing to be destroyed or rendered useless. Hydrogen and coal gas cylinders to have left-handed threads for attaching connections and to be pointed red.

The compressing apparatus to have two pressure gangs, and an automatic arrangement for preventing overcharging. The compressing apparatus for oxygen to be wholly distinct and unconnected with the compressing apparatus for hydrogen and coal gas.

Cylinders not to be refilled till they have been emptied.

If Cylinders are sent out unpacked the valve fittings should be protected by a steel cap.

A minimum weight to be fixed for each size of cylinder in accordance with its required thickness. Cylinders of less weight to be rejected.

FORM —A.

(Rule)

Annual/Temporary licence under section 3 of the Rajasthan cinemas (Regulations) Act, 1952.

No... Dated..... Fee realised.....

The building/place known as.....

..... situated at.....

within the town of.....

in the district of.....

is licensed under section 3 of the Rajasthan Cinemas (Regulation) Act, 1952, as a place where exhibition by means of a cinematograph may be given.

This licence has been granted to
 (hereinafter referred to as the licensee) and shall remain in force until the.....
 provided that the said..... or any person to whom with the consent of the licensing authority the licence is transferred continues to own or manage the cinematograph used in the said.....

This licence is granted under the Rajasthan Cinemas (Regulation) Act, 1952, and the Rules made thereunder, subject to the provisions and conditions set forth therein and in parts I, II and IV of the Cinematograph Act, 1952 (Central Act No. XXXVII of 1952) and subject to the following further conditions.—

(1) That the licensee shall not exhibit or permit to be exhibited in the cinema—

- (i) any film, other than a film which has been duly certified as suitable for unrestricted exhibition or for public exhibition restricted to adults and which, when exhibited, displays the prescribed mark of such certification and has not been altered or tampered with in any way since such mark was affixed thereto ;
- (ii) any film which has been certified as suitable for public exhibition restricted to adults, to any person who is not an adult,
- (iii) any film contrary to any directions that may be issued in that behalf by the Central Government under section 6 of the Cinematograph Act, 1952 (Central Act. No. XXXXII of 1952, and
- (iv) any film contrary to any directions that may be issued in that behalf by the State Government under section 6 of the Rajasthan Cinemas (Regulations) Act, 1952 ;

(2) That the licensee shall take over reasonable, practicable and most modern precautions against fire and danger arising from fire ;

(3) That the licensee shall—

(i) comply with all the provisions of the Rajasthan Cinemas (Regulation) Act, 1952, and the Rules made thereunder;

(ii) abide by the orders and instructions issued by the licensing authority from time to time;

(iii) comply with all the provisions contained in Parts I, II and IV of the cinematograph Act, 1952 (Central Act No. XXXVII of 1952) and of the Rules made thereunder, and

(iv) abide by all orders, instructions and directions made from time to time by the Central Government or by the authority constituted by the Central Government or by the State Government.

(4) That the licensee shall—

(i) exhibit or cause to be exhibited at every public exhibition by means of a cinematograph, given by him or on his behalf in respect of this licence, one or more approved films of a total length of not less than one thousand feet or an approved film of a total length of not less than one thousand feet or an approved film exceeding 750 feet in length in the case of cinemas exhibiting 35 M.M. films and four hundred feet in the case of cinemas exhibiting 16 M.M. films; and

(ii) comply with such directions as the Central Government or the State Government may by general or special order give with regard to the manner of exhibiting the approved films in the course of any performance or with regard to other matter relating thereto.

Explanation.—The expression “approved films” means the cinematograph films approved for the purposes of this condition by the Central Government or the State Government.

(5) That the licensee shall not exhibit or cause to be exhibited at any performance in the said cinema—

(i) any advertisements regarding sexual diseases or medicines to correct sexual disorders or purporting to assist childless begetting children or the like, and

(ii) any indecent, obscene immoral or suggestive advertisements, pictures or posters;

(6) That the licensee shall send previous information of every film proposed for exhibition to the District Magistrate together with a synopsis of the contents of the film at least one week, for good and sufficient reasons accepted by the District Magistrate upon application by the licensee, three days before the date of the proposed exhibition ;

(7) That the licensee shall not, without the permission of the licensing authority, assign, sublet or otherwise transfer, the license, the licensed building/place or the cinematograph nor shall the licensee without such permission allow any other person, during the period of currency of the license, to exhibit films in such building/place.

(8) That any accident, fire or explosion within the licensed premises which is attended with loss of human life or serious injury to persons or property shall be reported immediately to the nearest Magistrate or to the Officer-in-Charge of the nearest police station and by telegram or telephone, where such means of communication are available.

(9) That the total number of seats in the auditorium and the seats for each class shall not exceed the number specified in the table thereto appended nor shall the number and description of fire appliances, exhaust fans, electric fans or sanitary requirements be less than those therein specified.

(10) (a) That the licensee shall exhibit prominently at each public entrance whenever the premises are open to the public, a notice indicating in tabular form and in clear bold letters and figures—

- (i) the title of each film to be shown on that day other than trailers and advertisement films;
 - (ii) the approximate times of commencement of each such film;
 - (iii) whether each such film has received an 'A' or 'U' certificate from the Central Board of Film Censors; and
 - (iv) whether persons below the age of 18 years other than children below the age of 3 years will be admitted or not.
- b) That the nature of any certificate received in respect of a film from the Central Board of Film Censors shall be clearly indicated by the letter 'U' or 'A' as the case may be in any advertisement of the film displayed at the-premises."

The Table Referred to Above.

Total number of seats.		Fire appliances.		Exhaust fans.		Electric fans.		Sanitary requirements including number of latrine seats and places for urinating.	Remarks— Details of certificates & plans accompanying the application should be given and a copy of the plan should be attached duly certified by the Licensing Authority to the Licence granted.
Class.	Number of seats.	Description.	Number.	Location.	Description and size.	Number.	Description and size.	Number.	

Dated... ..

District Magistrate

FORM 'B'*(Rule 8)***Temporary permit for exhibition under the Rajasthan (Regulation) Act, 1952.**

Whereas.....(full name and address) has applied for the renewal of his licence and the said licence has been retained in my office pending disposal of his application, he is hereby permitted temporarily to exhibit films in..... (here enter description of premises) under the Rajasthan Cinemas (Regulations) Act, 1953 for the period of from this date, subject to the provisions of rule 8 of the Rajasthan Cinemas (Regulation) Rules, 1953.

Dated the.....day of.....195 .

FORM 'C'*(Rule 68)***Permit for Cinematograph Operator.***Permit No.*

Whereas Shri.....(Particular)..... and (Address)..... has been examined and is found qualified to perform the duties of an operator he is hereby permitted under rule 68 of the Rajasthan Cinemas (Regulation) Rules, 1953, to operate a cinematograph machine within Rajasthan.

Electric Inspector.

Rajasthan Cinemas (Regulation) Rules, 1959.

Notes

Notification No. F.21(36) Home (A-Gr. II)/60 dated June 3, 1961, issued by the Home 'A' Department and published in Rajasthan Raj-patra, part IV (c) dated July 13, 1961 has effected following additions and substitution in the present rules:—

1. Clause (xvi) of sub-rule (1) of rule 2 has been substituted by the present clause (xvi), previously it stood as under:—

(xvi) "Regional Fire Officer" means an officer of the Public Works Department of the State Government;

2. Words appearing in brackets in proviso to rule 7 have been substituted for the previous words "the fee chargeable for a new licence".

3. Proviso to sub-rule (5) of rule 25 has been newly added.

4. Proviso to sub-rule (1) of rule 48 has been newly added.

5. In rule 67 in to Note to sub-rule (1) the words "and no additional charge shall be made for inspection subsequent to first inspection for rectification of defects" appearing previously at the end have now been omitted.

6. Present sub-rule (2) of rule 67 has been substituted for the previous one which stood as under:—

(2) The fess for the inspection of electric installation shall be separately paid in accordance with rates notified under the Indian Electricity Rules, 1937.

7. In clause (iv) of rule 74 for the words "Chief Electrical Engineer" wherever occuring the words "Electric Inspector" have been substituted.

8. In form 'C', condition 4A has been newly added.

9. In form 'D' for the words "Chief Electrical Inspector" wherever occuring the words "Electric Inspector" have been substituted and for word "five" occuring in para (2) thereof the word "fire" has been substituted.

The Rajasthan Cinemas (Regulation) Rules, 1959.

Home Department

NOTIFICATION

Jaipur, December 23, 1959.

No F. 12 (8) Home (C)/56 — In exercise of the powers conferred by section 10 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No. XXX of 1952), the Government of Rajasthan is pleased to make the following rules, namely:—

PART I

Introductory

1. *Title and commencement.*—(1) These rules may be called the Rajasthan Cinemas (Regulation) Rules, 1959.

(2) They shall come into force on the date of their first publication in the Rajasthan Gazette.

Notes.

These rules have been framed in exercise of the powers conferred by section 10 of the Rajasthan Cinemas (Regulation) Act, 1952. The Government of Rajasthan originally framed rules on the subject vide Government Notification No. F. 12 (2) Home II/53, published in Rajasthan Raj-patra, dated 19th December, 1953 in part IV (B) at page 121. The Rajasthan Rules Cinemas (Regulation) Rules, 1953, so framed, are contained in volume I of the Rajasthan Rules Compendium.

The rules of 1953 have now been superseded by the present Rules of the year 1959. Rule 80 of these rules provide for such supersession.

2. *Interpretation.*—(i) In these rules unless there is anything repugnant in the subject or context—

- (i) "Act" means the Rajasthan Cinemas (Regulation) Act, 1952;
- (ii) "Auditorium" means that portion of a Cinema in which accommodation is provided for the audience or spectators to view the exhibition of films;
- (iii) "Cinema" means the entire place licensed for Cinematograph exhibitions and includes all appurtenances, plant and apparatus located therein;
- (iv) "Electric Inspector" means an Inspector appointed by the State Government under the Indian Electricity Act, 1910;
- (v) "Enclosure" means that portion of a cinema in which the Cinematograph apparatus is erected;
- (vi) "Executive Engineer" means an officer of the Public Works Department of the State in charge of roads and buildings in the place where a cinema is situated;
- (vii) "Exit" includes an emergency exit and any entrance usable by the public as an exit;

- (viii) "Fire resisting material" means—
 - (a) burnt brick work, cement concrete and reinforced brick work or cement concrete having a minimum cover of one inch,
 - (b) terra cotta blocks securely bonded provided that no side or web thereof is less than one and half inches in thickness,
 - (c) stone, tiles, sealed gypsum blocks, marble, iron, steel, copper, asbestos or zinc, or
 - (d) such other material as the Executive Engineer may approve,
- (ix) "Form means a form annexed to these Rules;
- (x) "State Government" means the Government of Rajasthan;
- (xi) "Licence" means a licence granted under and in accordance with these rules and includes a temporary permit;
- (xii) "Licensee" means a person who is granted a licence or a temporary permit in accordance with these Rules and includes his agent appointed for the purpose under intimation in writing to the licensing authority;
- (xiii) "Medical Officer of Health" means an officer of the Medical & Health Department appointed by the State Government;
- (xiv) "Part" means a part of the Rules;
- (xv) "Permanent building" means a building which is constructed for permanent use;
- (xvi) "Regional Fire Officer" means the Electric Inspector or any other officer appointed by the State Government in this behalf.
- (xvii) "Schedule" means the schedule appended to these rules;
- (xviii) "Special cinematograph exhibition" means a cinematograph exhibition on a specified occasion or occasions at a place not ordinarily used for such purpose;
- (xix) "Temporary building" means a building which is not a permanent building and includes a booth, tent or similar structure;
- (xx) "Temporary enclosure" means that portion of a place licensed for special cinematograph exhibition or for a touring cinematograph where cinematograph apparatus is kept or erected or where films are stored and wound;
- (xxi) "Touring cinematograph" means a cinematograph apparatus which is so adopted or constructed that it can be taken from place to place for the purpose of giving cinematograph exhibition;
- (xxii) "Open Air Cinema" means cinematograph exhibition specially permitted by the licensing authority or the Government in any place not ordinarily used for such purpose.

- (xxiii) "Winding Room" means that portion of a cinema in which cinematograph films are stored and wound; and
 (xxiv) "Words and expressions" used in the Act and not defined in these Rules shall have the meaning assigned to them in the Act.

(2) *The provision of the Rajasthan General Clauses Act, 1955.*—Rajasthan Act No VIII of 1955) shall as far as may, apply *mutatis mutandis* to the interpretation of these Rules as it applies to the interpretation of any Rajasthan Act.

PART II

Procedure in granting licenses.

3. *Classes of licenses.*—(1) Licenses granted under section (3) of the Act shall be either annual or temporary.

(2) An annual licence in Form C shall only be granted subject to the provisions of section 3 of the Act and in accordance with the provisions of the rules in Part III in respect of a permanent building. It shall be valid for one year from the date of issue and shall be renewable on the application of the licensee.

(3) Subject to the provisions of the rules in Part IV a temporary licence in Form C may be granted in respect of a temporary building or in respect of any place, for exhibition, by means of a touring cinematograph or in respect of a special cinematograph exhibition. A temporary licence in respect of a touring cinematograph may be granted in the first instance for a period of four months. This period may, however, be extended for a period of less than one year.

(4) (a) All new licenses shall be granted for one year ending on 31st of March. Similarly all licenses already renewed at the commencement of these rules shall be deemed to have been renewed up to 31st of March next and it shall be necessary for the licence holders to have their licenses renewed for a further period of one year commencing from the 1st April. They shall however, be charged only so much fee for the renewal which becomes due for a year after deducting the excess paid by them for the period after 31st March at the time of previous renewal.

(b) All licences pending for renewal at the commencement of these rules shall be renewed only up to 31st March on payment of proportionate fee.

(5) All licences expiring after the commencement of these rules but before the 31st March shall only be renewed up to the 31st March on payment of proportionate fee after which fresh renewal for the next licence year (from 1st April to 31st March) shall be necessary on payment of the prescribed fee for the whole year.

4. *Application for licence.*—Every application for the grant or renewal of a licence shall be in writing and shall be signed by the applicant. A court fee of rupee one shall be payable thereon.

5. *Accompaniments of application for grant of annual licence—*

(1) An application for the grant as distinct from the renewal of an annual licence shall be accompanied by—

- (a) full particulars regarding the ownership of and all rights in the cinema and in the cinematograph apparatus to be used therein;
- (b) complete plans, elevations and sections in duplicate of the cinema together with all erections or buildings drawn correctly to the scale of one eighth of an inch to one foot and showing width of all stairways and the number of steps in each, the width of corridors gangways and doorways, the height of the cinematograph and of the plant for the generation or conversion of electrical energy;
- (c) a site plan in duplicate on a separate sheet drawn to the scale of one-fortieth of an inch to one foot showing the position of the cinema in relation to any adjacent premises and to the public thoroughfares upon which the site of the cinema abuts, and the arrangements proposed for the parking of motor cars and other vehicles; and
- (d) specifications of the various materials used or proposed to be used in the construction of the building.

(2) The cardinal points of the compass shall be shown on the plans and the plans shall be so coloured as to distinguish the materials used in the construction of the building.

6 *Power to require plans etc. for applicants for grant of temporary licence.*—The licensing authority may require an applicant for the grant of a temporary licence to furnish such plans of the premises of such specifications as he may consider necessary.

7. *Application for renewal.*—An application for the renewal of an annual licence shall be made at least one month before the date of the expiry of the existing licence:

Provided that if the application for renewal is made after the prescribed date that licensing authority may renew the licence on payment of [an additional fee of Rs. 25/- besides the fee payable under rule 67] shall be substituted.]

8. *Issue of temporary permits.*—(1) If on an application for renewal of a licence the licensing authority does not, for any reason, before the date of the expiry of the licence, either renew and return the licence or refuse to renew the same, he may be granted a temporary permit in Form B.

(2) Such temporary permit shall be subject to the same conditions as the licence sought to be renewed and shall be valid for such period, not exceeding two months, as the licensing authority may direct:

Provided that the temporary permit shall cease to be valid and shall be surrendered to the licensing authority on the applicant receiving his licence duly renewed, or on his receiving an order refusing to renew the licence.

(3) A temporary permit issued under this rule shall during the period of its validity be deemed to be a licence for the purposes of the Act and these rules.

(4) A fee of ten rupees shall be levied for the grant of such temporary permit, provided that if in the opinion of the licensing authority the grant of a temporary permit has not been necessitated by the negligence of the licensee, the fee or a portion of it may be remitted.

(5) If at the end or during the period of two months for which the temporary permit was granted, a licence for the whole year is issued to a licensee he should be charged licence fee as prescribed for the whole year less the amount paid as fee for the grant of temporary permit provided the grant of temporary permit was not necessitated by any negligence or fault on his part.

9. *Responsibilities of a licensee.*—(1) The licensee shall be responsible for compliance with the provisions for the Act, and of these rules and with the conditions of his licence, for the maintenance of licensed premises at all times and in all respects in conformity with the standards prescribed by these rules and for taking all necessary measures, before any cinematograph exhibition is commenced, to ensure the safety of the public and his employees against fire and other accidents.

(2) The licensee or some responsible persons nominated by him in writing for the purpose shall be in general charge of the licensed premises and the cinematograph during the whole time that any exhibition is in progress.

10. *Inspection previous to grant of licence.*—(1) Before granting an annual licence the licensing authority shall call upon—

- (a) the Executive Engineer having jurisdiction to inspect and examine the structural features of the cinema and report whether the rules relating thereto have been duly complied with;
- (b) the Electric Inspector to inspect and examine the cinematograph and the electrical equipment to be used in the cinema and to report whether they comply with the requirements both of these rules and of the Indian Electricity Act, 1910 and of such of the rules made thereunder as are applicable and whether all reasonable precautions have been taken to protect spectators and employees from electric shock and to prevent fire in the building through electrical installation and equipment.
- (c) the Medical Officer of Health having jurisdiction to inspect and examine the cinema and to report whether the arrangements for sanitation conform to the requirements of these rules; and

- (d) the Regional Fire Officer having jurisdiction to inspect and examine the cinema and to report whether the prescribed fire extinguishing appliances have been provided and are in working order and whether the precautions taken against fire conform to the requirements of these Rules.

(2) In cases of renewals also the certificate and reports required under sub-clause (1) may be obtained but the renewal of the licence shall not be refused, delayed or withheld simply for want of all or any one of the certificates or reports the same being obtained from the different Government Departments by direct correspondence between them and the licensing authority.

(3) Defects revealed by such inspections shall be brought to the notice of the applicant or licensee and of the licensing authority, who may refuse to grant or renew the licence unless and until they are remedied to his satisfaction:

Provided that in cases other than the grant of licence for the first time the licensing authority may give such time as may be reasonable in its discretion to the licensee to remove the defects revealed by inspections as specified in sub clause (1) after the expiry of which the licensing authority if the defects are not removed, may cancel or suspend the licence and may not revalidate it until the defects are reported to have been removed:

Provided further that no second renewal shall be granted unless the certificates and reports called upon at the time of the first renewal are received before the expiry of the year for which they were meant and the licensing authority may make an inquiry into the cause of such delay and take or recommend such action as he may consider desirable against those responsible for the same.

11. *Inspection by licensing authority.*—The licensing AUTHORITY or any officer authorised by him in this behalf may, at any time, enter a place which he has reason to believe is being used or is intended to be used for the purpose of cinematograph exhibitions in order to satisfy himself that all the provisions of the Act, these rules and the conditions of the licence are being complied with.

12. *Inspection by other authorities*—The Executive Engineer, Electric Inspector, Medical Officer of Health, Regional Fire Officer, Entertainment Tax Officer, Superintendent of Police or any officer deputed by any of them may at any time enter and inspect any cinema licensed under section 3 of the Act.

(2) Defects revealed by such inspection shall be brought to the notice of the licensee and shall also be reported to the licensing authority.

13. *Production of licence on demand.*—The licence and the plan and description, if any, attached thereto shall be produced on demand by the licensing authority or by any officer authorised by

him or by these rules to enter and inspect a place licensed under section 3 of the Act.

14. *Additions and Alterations*.—No additions to or alterations of any portion of the cinema licensed under section 3 of the Act, necessitated by fire or any other calamity or cause, shall be made without the sanction of the licensing authority.

15. *Notice of additions or alterations*.—The licensee shall give notice in writing to the licensing authority of his intention to make any such additions or alterations and such notice shall be accompanied by complete plans, elevations and sections and specifications of the work proposed to be executed, drawn up in duplicate in the prescribed manner, while in the case of a temporary license such plans and specifications only shall be furnished as the licensing authority may consider necessary.

PART III

Permanent Buildings

16. *Situation*.—(1) No permanent building except that already licensed at the commencement of these rules shall be licensed for cinematograph exhibitions if it is situated:—

(a) within a radius of one furlong from—

- (i) any residential institution attached to a recognised educational institution such as a college, a high school or girls school, or
- (ii) a public hospital with a large indoor patient ward; or
- (iii) an orphanage containing one hundred or more inmates, or

(b) in any thickly populated residential area which is either exclusively residential or reserved or used generally for residential as distinguished from business purposes.

(2) For the purpose of this rule, the Licensing Authority shall, subject to the general control of the State Government, determine what is a hospital, a recognised educational institution, a large indoor patient ward or a thickly populated residential area, and his decision shall be final and conclusive:

Provided that the Licensing Authority may for sufficient reasons and with the prior approval of the State Government, relax this rule or any part thereof in any case and specially in the case of cinemas already completed or nearing completion prior to the commencement of these rules:

Provided further that in relaxing this rule or any part thereof the State Government shall take into consideration the nature of the proposed building and whether or not it is sound proof or is within a radius of 50 feet from any petrol pump or any shop or store dealing in highly combustible material or is air conditioned.

17. *Cinemas not to be on or under other buildings.*—(1) No cinemas shall be constructed underneath or on the top of any other building. Nothing in this rule shall apply to premises duly licensed for use for Cinematograph exhibition, before the coming into force of these rules:

Provided that open spaces under the auditorium and stage in such premises, where they exist, shall not be rented or used as godowns but may be used for storing cinema implements, such as advertisement boards, trollies, etc., if they are properly arranged and taken care of.

18. *Requirements of permanent buildings.*—(1) Every cinema shall have a road frontage on the public thorough fare upon which its site abuts and in such frontage there shall be suitable means of entrance and exit for the public.

(2) Entrances and exits shall be reserved for services in case of emergency, opening on two separate and distinct passages leading either to the said public thorough fares or to other suitable thorough-fares and such passages shall not be less than 5 feet in width.

(3) Every cinema shall have sufficient waiting space outside it for the public before performances to avoid crowding public roads.

(4) There shall be a car parking space provided within the compound walls of every cinema.

(5) The road frontage shall be of adequate length and width and the passages referred to in sub-rule (2) must have sufficient width to enable the audience to disperse quickly.

(6) Nothing in sub-rule (1), sub-rule (3) and sub-rule (4) shall apply to premises duly licensed for use for cinematograph exhibition before the coming into force of these Rules.

19. *Structure to be fireproofed.*—Every Cinema shall be enclosed with proper internal or partition walls of brick or stone and the floors, tiers and roof of the auditorium and all parts used by the public shall be constructed of fire-resisting materials to the satisfaction of the licensing authority.

20. *Galleries.*—No galleries or tiers shall be erected in the cinema unless constructed of fire-resisting materials and no wooden parts shall be used for the support of such galleries or tiers.

21. *Stage.*—All the wood work of the stage shall be rendered unflammable and shall be of hard wood.

22. *Construction of Auditorium.*—(1) Wherever it is practicable, the auditorium shall be rendered air-conditioned and ceiling fans shall be provided in the Boxes, Zenana galleries and at other suitable places. The number of ceiling and exhausts fans shall be fixed by the Medical Officer of Health having jurisdiction.

(2) No open space shall be allowed under the floor of the auditorium.

(3) The floor, roof, private boxes, balconies, galleries; tiers, partitions and every room, lobby, corridor stair case and passage devoted to the use of the public shall be constructed of fire-resisting materials.

(4) No soft wood or other inflammable wall, linings partitions, screens, or barriers shall be used in any part of the auditorium and no cavities shall be left behind any linings.

(5) The fronts of the private boxes and each tier shall be formed of fireproof material except the capping which may be of wood: Provided that nothing in this rule shall apply to premises duly licensed for use for Cinematograph exhibition before the coming into force of these rules.

23. *Height of tiers.*—Where the first tier or balcony extends over the pit or stalls, the height between the floor of the pit and such tier or balcony shall not be at any part less than 10 feet; the height between the floor of the highest part of the gallery and the lowest part of the ceiling over the same shall not be less than 12 feet. The height between the several tiers shall in no case be less than 8 feet:

Provided that nothing in this rule shall apply to premises duly licensed for use for Cinematograph exhibition before the coming into force of these rules.

24. *Accommodation.*—(1) The total number of spectators accommodated in the building shall not exceed 20 per hundred square feet of the area available for sitting and standing or 20 per 133½ square feet of the overall area of the floor space in the auditorium.

(2) A notice showing the number of spectators permitted by the conditions of the licence to be admitted to any one part of the building shall be exhibited at a prominent place either at the entrance of the building or in the auditorium.

25. *Seating.*—(1) The seating in the building shall be arranged so that there is free access to exits.

(2) The space assigned for each person shall not be less than 2'-4" deep where backs are provided and not less than 2' deep where backs are not provided and not less than 1'-8" wide where arms are provided and 1'-6" where arms are not provided.

(3) The rows of seats shall be so arranged that there is a clear space of not less than 12" between the back of one seat and the foremost portion of the seat, arm of frame behind, measured between perpendiculars.

(4) All seats, except those in private boxes, shall be securely fixed to the floor, and if bolted together or made in links, the complete link shall be firmly attached to the floor.

(5) The minimum distance between the cinematographic screen and the front row of seats shall not be less than 25 feet.

Provided the limit of 25 feet distance shall not apply to premises duly licensed for use for Cinematograph exhibition prior to the coming into force of these rules.

26. *Gangway*.—(1) Gangways not less than 44 inches wide shall be provided in the building as follows:—

- (a) Down each side of the auditorium.
- (b) Down the centre of the seating accommodation at intervals of not more than 25 feet.
- (c) Parallel to the line of the seating so as provide direct access to exits; provided that not more than one gangway for every 10 rows shall be required.

(2) All gangways, exits and the treads of steps and stairways shall be maintained with non-slippery surface.

(3) Druggets, matting and floor covering, if provided in gangways, shall be securely fastened to the floors.

(4) The exits and the gangways, and passages leading to exits shall be kept clear of all obstructions other than rope barriers provided in accordance with sub-rule (6). On no account shall extra seats be placed in the gangways, or spectators be allowed to stand in the gangways at the time of performances in such a way as to block or effectively reduce their width.

(5) If steps have to be inserted in a gangways or passage there shall be not less than 3 steps at any one place. The treads shall not be less than 15" wide and shall be uniform width and height.

(6) Rope barriers in gangways or elsewhere shall be fitted with clips or fastenings which will part in the centre on slight pressure, and shall not trail on the floor.

(7) Guard rails not less than 3 feet 6 inches above floor level shall be provided on the parapet at the foot of gangways in galleries where the incline of the gangway exceeds 15 degrees.

27. *Corridors*.—(1) No corridor shall be used as a cloak room and no pegs for hanging hats, clocks, or the like shall be allowed therein nor shall any corridors be used for storage purposes or for any purpose whatever except for exit and entrance from and to the auditorium:

(2) There shall be no recesses or projections in the walls of such passages, gangways or corridors within 5 feet of the ground;

(3) No corridor leading to any stair case communicating with any exit shall be less than 5 feet in width in any part thereof;

Provided that nothing in this rule shall apply to premises duly licensed for use for Cinematograph exhibition before the coming into force of these rules.

28. *Exits*.—(1) Every building shall be provided with an adequate number of clearly indicated entrances and exits so placed and maintained as readily to afford the audience ample means of safe movements, and with a passage 3 ft. in width for every 10 rows of seating accommodation. By adequate is meant 5 linear feet of exit may for 500 sq. feet of sitting space inside.

(2) A common place of agrees may serve as the exit for the floor of the auditorium and the first tier, provided its capacity be

equal to the aggregate capacity prescribed by these rules for the necessary out-lets from such floor and tier.

(3) For any auditorium floor or any tier which does not accommodate more than 200 individuals two, 4 feet exits only will be required.

(4) If the auditorium floor or any tier shall be divided into two or more parts, exits as prescribed in the rules shall be provided for each such part.

(5) It shall be compulsory on the management of the cinema premises to allow the public to leave by all exit doors.

29. *Exit notices.*—(1) All exits and any other doors or openings intended to be used for the purposes of exits shall be indicated by notices in English or Hindi, the letters being not less than 6 inches in height over such doors or at least 6 feet 9 inches above the floor.

(2) The words "NO THOROUGH FARE" shall be similarly painted over all doors or opening which are in sight of the audience, but which cannot be used as exits.

30. *Projection Room.*—(1) The projection room shall be of the following minimum dimensions:—

Projection wall	.....	.....	12 ft.
Side walls	.....	.....	10 ft.
Height	.....	.....	8 ft.

(2) The construction shall be of fire resisting materials, stone slabs shall not be used for roof or floor and the door shall be of steel and of self closing-type.

(3) Projection and observation posts shall be maximum 8 inches square, glazed with plate glass and shall have automatic closing metal shutters with master control.

(4) Extra fans for ventilation shall be provided and fume chimneys over projectors shall be used. One chemical fire extinguisher, one bucket of sand and one wet blanket shall be kept always inside the room.

31. *Re-wind Room.*—Re-wind room shall be separate from projection room and its minimum dimensions shall be 8 feet by 8 feet high. It shall not be used for purposes other than re-winding and storing films not in use. All films shall be stored in metal boxes.

Provided that nothing in this rule shall apply to premises duly licensed for use for cinematograph exhibition before the coming into force of these rules.

32. *Clock rooms.*—Where clock rooms are provided they shall be so situated that the use of them shall not obstruct the free use of any exit.

33. *Doors.*—(1) All outside doors for the use of the public shall be made to open outwards and all internal doors shall be hung

so as not to obstruct, when open any gangway, passage, stairway for landing. Such doors when open should engage on an automatic spring.

(2) All such doors may be kept closed but not bolted during a performance or exhibition, provided an attendant is placed in charge of each such door whose duty it shall be to throw open the door in case of emergency.

(3) All exit doors having fastenings shall be fastened by automatic or panic bolts only, of a pattern and in a position to be proved by the licensing authority, but where such doors are also to be used by the public for entrances they may be fitted with lever or other approved fastenings in approved positions. Doors so fitted, however must not be fastened so long as any of the public are on the premises.

(4) All barriers and internal exit doors shall be made to swing or to open outwards with no other fittings than automatic bolts.

(5) No doors, handles or other fittings shall project into exit ways more than one inch when the doors are open, and no locks, monkey tails, flush or barrel bolt, or locking bars or other obstructions to exit; other than as before mentioned shall be fitted on any doors, gates or barriers

34. *Stair ways.*—(1) There shall be at least 2 stairways each not less than 4 feet wide to provide access to any gallery or upper floor in the building which is intended for use by the public.

(2) The treads and risers on each flight of stairs shall be of uniform width and height. The treads shall not be less than 11 inches wide and the risers shall not be more than 7 inches high.

(3) There shall be no winders.

(4) A continuous hand rail shall be fitted to each side of stairways.

(5) No stairways shall discharge into a passage or corridor against or across the direction of exit:

Provided that nothing in this rule shall apply to premises duly licensed for use for cinematograph exhibition before the coming into force of the rules.

35. *Projections and Recesses.*—There shall be no recesses or projections in the walls of such staircases within 5 feet of the floor, and any fittings for lighting shall be at least 6 feet 8 inches above the steps or landing.

36. The following fire extinguishing appliances shall be provided:—

(1) *In the enclosure.*—A bucket of water, a blanket, a bucket of sand and a portable fire extinguisher.

In the auditorium.—Four portable fire extinguishers, 20 buckets of water and a cistern supplying not less than five gallons of water per 100 square feet of floor area stored.

(2) These appliances shall be so disposed as to be readily available for the use. The buckets shall have round bottoms and handles and shall be of $2\frac{1}{2}$ to 3 gallons capacity, each to hold not less than 2 gallons of water. They shall be painted red with the word "Fire" painted on them in large black letters in English and the local vernacular.

(3) The portable fire extinguishers shall be of soda acid type and of the two gallon size; they shall be installed at an adequate height from the ground. A record regarding the maintenance of portable extinguishers shall be kept.

(4) Where a portable fire extinguishers of the chemical combination pressure type is older than three years or has not been tested previously, it shall be tested by hydraulic pressure by the Electrical Inspector or by an engineering firm or mill authorised in this behalf by the licensing authority, to show that it can withstand for one minute a pressure of 300lb. per square inch and a certificate of such test shall be submitted to the licensing authority. Similar tests shall be repeated once in two years.

(5) At least four stirrup pumps and eight buckets filled with water if there is no gallery or first floor in the premises; and at least six stirrup pumps and twelve buckets filled with water if there is a gallery or first floor in the premises in which case, at least two stirrup pumps and four buckets filled with water shall be kept in the gallery or first floor.

(6) Attendants and staff shall be trained in the use of all fire-fighting equipment maintained in the premises.

(7) The licensee shall—

- (i) once in every three months empty the container of each portable fire extinguisher provided in the licensed premises, clean its nozzles and working parts, stir the liquids in it and top it up, immediately record the date of having done so on a slip of paper and paste the same on the outside of such container;
- (ii) once in every year discharge each portable fire extinguisher provided in the licensed premises and re-charge it and immediately record the date of such recharge in durable paint on the external surface of the container of the portable fire extinguisher; and
- (iii) Stock at least five spare refills for the use of the fire-extinguishers.

37. *Fire Regulations.*—(1) The regulations to be followed in case of fire should be always pasted in some conspicuous place so that all people concerned shall be acquainted with their contents.

(2) A report of any fire or alarm of fire, however slight, in the premises shall be at once sent to the store-keeper, Public Works Department and to the nearest police station.

38. *Lights.*—Every portion of the cinema devoted to the use or accommodation of the public and also all out-lets leading outside

the cinema including the corridors shall be well and properly lighted during every performance and the same shall be lighted until the entire public have left such premises.

39. *Additional lights*.—All "Exit" signs shall be fitted with an auxiliary bulb capable or properly illuminating the sign; the bulb shall be kept burning throughout the show from a separate circuit controlled by a separate switch.

40. *Electric lighting*.—(1) Where electric light is reasonably available for use, no other illuminant shall be used for the purpose of the exhibition, the choking coils, switches, and fuses being installed in accordance with the instructions issued by the Electric Inspector from time to time. In any case no illuminant other than electric light or lime light shall be used for such purposes.

(2) The general lighting of the auditorium and exits shall not be controlled solely from within the enclosure.

41. *Engines, Boilers and Dynamos*.—(1) Where electric light is not available, all lime light supply tanks, boilers and engines and dynamos with engines used in connection with, the premises shall be placed in ventilated buildings of fireproof construction, and shall be separated from the cinema house and from each other by brick walls and fireproof floors, and shall be enclosed on one or more sides by external walls. All door ways in such building shall have iron doors.

(2) No coal, coke, wood or other combustible material shall be so stored or placed that it is likely to be affected by the heat of the furnace, boiler or other heating apparatus.

(3) No petrol driven engines shall be allowed for generating electric current unless they are fixed in a fireproof compartment at least 10 feet from any other building.

(4) Every fly wheel directly connected with an engine or other mechanical power and any part of the machinery which may be dangerous if left unfenced shall be kept securely fenced.

42. *Check Boxes*.—All Check Boxes shall be fixed and placed in such position that they will not obstruct the exits.

43. *Telephone*.—Every Cinema shall be provided with a telephone where available, which shall be fitted in such place and manner as the licensing authority may direct.

44. *Latrine and Urinals*.—(1) Every Cinema shall be provided with separate latrines and urinals for the use of males and females. Such latrines shall be respectively to a minimum scale of one and two per hundred seats.

(2) In places where water supply is available water flushed latrines and urinals shall be provided, and where such supply is not available they shall be detached from the main building and shall be maintained in a sanitary condition and shall be drained in a soak pit.

(3) Water flushed latrines and urinals shall discharge into a septic tank or sewer, which shall be at least 16 ft. by 3 ft. by 6 ft. deep and shall be provided with two main holes with covers, sluge pipes, valves and chambers for cleaning. Effluent from such tank and sewer, shall discharge into a soak pit.

(4) Latrines and urinal, shall be constructed and maintained to the satisfaction of the Medical Officer of Health and shall be cleaned and rendered effectively disinfected after each performance.

45. *Spittoons*.—(1) Every Cinema shall be provided to the satisfaction of the Medical Officer of Health with a sufficient number of spittoons in suitable places for the use of the public.

(2) The spittoons shall contain a strong disinfectant and shall be emptied after each performance.

(3) Notices directing the attention of the public to the spittoons shall be provided in prominent places.

46. *Enclosure for Apparatus*.—(1) The Cinematograph machines shall be placed in a permanent enclosure of sufficient dimensions to allow the operator to work freely. The enclosure shall be substantially constructed of fire-resisting materials or lined with the same.

(2) The entrance to the enclosure shall be fitted with a closely fitting door of fire-resisting material suitably placed and opening outwards and all openings, bushes and joints shall be so constructed and maintained as to prevent so far as possible, the escape of any smoke into the auditorium. If means of ventilation are provided they shall not be allowed to communicate direct with the auditorium. The area of the ventilating ducts of the enclosure shall not be less than one per cent of its floor area.

Explanation—By 'bush' is meant packing inserted in the holes through which the pipes and cables pass in order to render such holes reasonably smoke-proof

(3) Openings not exceeding six in number shall be permitted in the front, face of the enclosure, the central one of which must not exceed 8 inches square and those on each side 6 inches square. The projector opening must not exceed 8 inches square and the other 6 inches square. Each opening shall be fitted with a screen of fire resisting material capable of being actuated both from the inside and from the outside of the enclosure.

(4) The necessary pipes and cables shall enter through efficiently bushed openings

(5) No unnecessary combustible material shall be allowed within the enclosure, and as far as possible all necessary combustible material, films and the like, when not in use shall be kept in fire-proof receptacles suitable for the purpose.

47. *Projector machine*.—(1) The cinematograph machine shall be placed on firm supports of fire resisting materials.

(2) The body of the machine shall be constructed of metal or lined with metal and asbestos in which case there must be an air space between the metal and the asbestos lining. The bottom of the

machine must form a metal tray which shall be surrounded by a vertical edge at least one inch in depth.

(3) It shall be provided with a metal shutter which shall fall automatically against the film gate, between it and the source of light.

(4) The shutter shall automatically drop in the event of any accident to the machine or stoppage of the film and shall automatically rise only when the film is in motion for the purpose of projection.

(5) The film gate shall be of massive construction and provided with ample heat radiating surface and the passage for the film shall be sufficiently narrow to prevent half travelling upwards or downwards from the light opening.

(6) All cinematograph projectors shall be fitted with two metal film boxes of substantial construction and more than $17\frac{1}{2}$ inches in diameter, inside measurement to and from which the films shall be made to travel.

(7) Such boxes shall be of approved construction, shall be made to close in a manner which will prevent the ingress of fire and shall be fitted with a film slot so constructed as to prevent the passage of flame to the interior of the film box.

(8) Spools shall be chained or gear driven and films shall be wound upon spools so that the wound film shall not at any time reach or project beyond the edges of the flanges of the spool.

(9) All films when not in the cinematograph machine and while still in the enclosure, shall be contained in closed metal boxes.

48 *Electric Installation inside the enclosure.*—(1) Within the enclosure the insulating material of all electric cables, including those leading to illuminating lamps, shall be covered with fire-resisting material. If the electric pressure to the cabin exceeds 125 volts, all cables inside the cabin shall be enclosed in screwed metal conduits connected to the earth. Lead covered cables shall not be used unless enclosed in such conduits. No electric current at a higher pressure than 110 volts shall be used within the enclosure when a cinematograph apparatus is working.

Provided that an electric current at a pressure of 230 Volts may be used in a Cinema, if special precautions to be decided by the Electric Inspector have been undertaken under his directions. This proviso shall apply to those equipments which have been in operation prior to the coming into force of these rules.

(2) The cables for the cinematograph machine shall be taken as a separate circuit from the source of supply and from the supply side of the main fuses in the general lighting circuit on the premises and there shall be efficient switches and fuses inserted at the point where the supply taken and, in addition an efficient doublepole switch shall be fitted in the cinematograph lamp circuit inside the enclosure.

(3) Resistance frames shall be made entirely of fire-resisting material and shall be so constructed and maintained that no coil or other part shall at any time become unduly heated. All resistances

with the exception of resistance for regulating purposes shall be placed outside the enclosure and if reasonably practicable outside the auditorium if inside the auditorium they shall be adequately protected by a wire guard or other efficient means of preventing accident contact. They shall not be permitted to become so heated that a piece of dry newspaper placed in contact with any part of resistance would readily ignite.

49. *Provisions relating to use of limelight.*—(1) If limelight is used in the cinematograph lantern the oxygen and hydrogen gas shall be contained in cylinders and each such cylinder shall be accompanied by a certificate signed by the manufacturers to the effect that it has been tested and filled in conformity with the requirements set out in the schedule. The tubing shall be of sufficient strength to resist pressure from without and shall be properly connected up.

(2) No gas shall be stored or used except in containers in accordance with the requirements contained in the schedule.

(3) No other or volatile and inflammable liquids shall be employed under any circumstances for producing light.

50. *Fire precautions in the enclosure.*—(1) Two liquid chemical extinguishers, one bucket of sand, two buckets of water and a damp blanket shall be kept inside the enclosure. A large sponge shall be kept in one of the buckets of water. One liquid chemical extinguisher shall also be kept immediately outside the enclosure.

(2) No smoking shall at any time be permitted within the enclosure or the auditorium.

51. *Winding Room.*—(1) The winding room shall be constructed entirely of fire-resisting materials and shall be large enough to allow the winder to operate freely. It shall be constituted apart from the projection room and auditorium, but the licensing authority may, for reasons to be recorded, permit the winding room to adjoin the projection room. The winding room shall have no openings in the wall so as to permit communication with the auditorium or public passage ways.

(2) The winding room shall be closed by a closely fitting self-closing door of fire-resisting materials which shall only be open for ingress and egress and shall remain closed during the entire period that the cinematograph exhibition is in progress. Suitable arrangements shall be made for ventilation in the winding room and one or more electric fans of suitable dimensions shall be provided by the licensee.

(3) Only electric lines shall be used in the winding room and any lamps in proximity to the film shall be closed in a stout fitting design to prevent breakage of the bulb.

(4) The spools shall be chain or gear driven and films shall be so wound upon the spools that the wound film shall not, at any time, reach or project the edges of the flanges of the spool.

(5) The winding of films shall not be carried out in the projection room while an exhibition is in progress.

(6) Excepting a film which is being wound or stored, no inflammable article shall unnecessarily be taken into or be allowed to remain in the winding room.

(7) All cinemas in permanent buildings shall, without exception, be required to provide and use a winding room in accordance with the above requirements.

(8) Not more than 200 lb. of explosive cinematograph film shall be stored in the premises to which this licence relates, unless a specific licence has been obtained from the Chief Inspector of Explosives in India as required by the Cinematograph Films Rules, 1948.

PART IV

Rules regarding temporary buildings or enclosures and special Cinematograph Exhibitions.

52. *Requirements of temporary enclosure.*—A temporary enclosure shall fulfil the following requirements:—

(1) It shall consist of a smoke-proof box constructed of sheet iron or steel or a substantial frame work and securely fastened together. The internal height from the floor to roof shall be at least ten feet. The floor shall be forty-eight square feet. The room shall be of such width as may allow sufficient space behind the machine for the operators to pass easily.

(2) All apparatus within a temporary enclosure shall satisfy the requirements prescribed for similar apparatus in a permanent building except that such apparatus may be of a portable type.

53. *Conditions in respect of touring cinemas.*—The cinematograph apparatus shall have been certified by the Electric Inspector within a year of the date on which the exhibition is given, to be useable without danger to the public.

54. *Inspection of touring cinematographs.*—(1) Touring cinematographs used for giving public exhibitions shall be brought for the purposes of inspection by the Electric Inspector to a town where a licence under the Act has been granted once in every three years.

(2) If after such inspection the Electric Inspector is satisfied that a touring cinematograph is useable without danger to the public he shall issue a certificate to this effect.

55. *Exhibitions in tents etc.*—In the case of exhibitions given in tent or booth or in any shelter or structure composed of, or covered with, combustible materials or of a moveable character the cinematograph apparatus shall be operated from outside such tent, booth, shelter or structure and shall be placed at a distance of at least six feet therefrom.

56. *Only qualified operator to remain present.*—No person other than a qualified operator, employed by the licensee and holding a certificate granted by the Electric Inspector or an apprentice duly authorised by the licensee under rule 70 shall be allowed to enter or to be in the enclosure or the 'reserved space' while an exhibition is in progress

57. *Inflammable articles and smoking.*—No inflammable articles shall unnecessarily be taken into, or allowed to remain in, the enclosure or 'reserve space'; no smoking shall be permitted therein and no naked light shall be used therein.

58. *Drapery and unprotected combustible materials.*—No drapery and no unprotected combustible materials other than such materials as may compose the floor shall be within six feet of the cinematograph apparatus.

59. *Fire appliances.*—The following fire appliances shall be provided viz, a bucket of sand, two buckets of water, a damp blanket and one portable chemical fire extinguisher of pattern, class and capacity approved by the licensing authority and such other appliances as the licensing authority may prescribe. They shall be so disposed as to be readily available for use in case of fire within the enclosure

60. *Films not in use.*—All films not in use shall be kept in securely closed fire resisting receptacles

61. *Means of exit.*—(1) Adequate means of exit shall be provided as prescribed by the licensing authority.

(2) Without prejudice to the generality of the foregoing sub-rule, no tent, booth or similar structure shall be used for the purpose of a cinematograph exhibition if it is enclosed by a wall or walls which do not permit of adequate means of egress and which are erected within 30 feet of such tent, booth or similar structure.

62. *Seating.*—The seating shall be so arranged as not to interfere with free access to exits, and both exits and passages and gangways leading to them shall throughout the performance be kept clear of all obstacles.

63. *Touring cinematographs to be licensed only where there is no permanent cinema.*—Licenses to touring cinematographs shall only be granted for places where there are no permanent cinemas :

Provided that the Government or the District Magistrate may in a particular case permit the exhibition of films for trade purposes by temporary, touring or Open Air Cinemas within 5 miles radius of permanent cinema.

64. *Pandal used during special cinematograph exhibition or by touring cinematographs.*—(1) In every pandal construction of inflammable material, there shall be kept on each side an opening at least seven feet high and eighteen feet wide. The opening may be

closed by lattis fixed on split bamboo frame, fastened by twine on the inside but so to be easily removable.

(2) Doors and openings not ordinarily in use may be covered or closed by mats, screen or similar material so as to prevent removal by light pressure from inside building or structure.

Notice for special cinematograph exhibition.—No cinematograph exhibition shall be given in any premises where such exhibition is not a regular feature, unless notice has been given, at least ten clear days before the exhibition is due, to the licensing authority.

66. *Exemption of special cinematograph exhibitions from certain provisions or rules.*—Where a cinematograph exhibition is to be given in an institution, club or other place and it is not practicable to provide therefor a fire proof enclosure the licensing authority may, for reasons, to be recorded, dispense with the requirements of any of the foregoing rules. A space of six feet shall, however, be railed off all around the cinematograph apparatus if the provisions applicable to temporary enclosure are for any reasons relaxed. No drapery and no unprotected combustible material other than film or that composed by the floor shall be within six feet of the cinematograph apparatus. Adequate precautions shall be taken against the probable out-break of fire and for the safety of the film.

PART V.

Licence and other Fees.

67. *Fees.*—(1) The fee for a license or renewal of a license inclusive of the inspection by the Public Works Department Officer and the Health Department Officer shall be as follows :—

(a) For a permanent cinema :—

Numbr of seats.	Licence fee for one year.
Up to 200	Rs. 75/—.
201 to 500	Rs. 100/—.
501 and over	Rs. 125/—.

(b) For a quasi-permanent temporary or touring Cinema —:

Number of seats.	Licence fee for four month.
Up to 200	Rs. 15/—.
201 to 500	Rs. 20/—.
501 and over	Rs. 25/—.

*Note :—*The fee prescribed under these rules are inclusive of one or more inspections made for issue of a fitness certificate.

(2) A separate fee of Rs. 50/— shall be paid for the inspection of electric installation in a Cinema.

(3) The application fee for making any alteration or addition in a Cinema License shall be Re 1/- and that for a duplicate license shall be Rs. 2/-. The fee shall be paid by means of a treasury challan.

PART VI

Operations and Apprentices.

68. *Certification of operators.*—(1) During an exhibition the enclosure shall be in charge of a qualified operator of not less than 18 years of age, who holds a certificate [] granted by the Electric Inspector to the effect that he is competent to handle and operate a cinematograph.

(2) An operator shall not be granted a certificate unless he—

- (a) possesses a working knowledge of cinematograph machine and a particular technical knowledge of the type of machine which he is at the time employed in operating,
- (b) is already conversant with the rules relating to cinematograph exhibitions and precautions against fire,
- (c) is acquainted with the most speedy and effective methods of dealing with fire
- (d) possesses a fine knowledge of the elements of electric power direct and alternating current, voltage and the like; and

(e) is proficient in the handling, winding, repairing and efficient cleaning of films,

(f) An operator may obtain a certificate from the Electric Inspector having jurisdiction by presenting himself within a period of 3 months from the date of his appointment, before the said Inspector at his Headquarters or at any other place the Inspector can examine the operator. If, for valid reasons the Inspector is not in a position to examine the applicant he may extend the time limit not exceeding 2 months in writing to the applicant under intimation to the Licensing Authority.

(3) The Electric Inspector, may for reasons to be recorded in writing, withdraw a certificate granted by him.

(4) In regard to the grant and withdrawal of certificate, the Electric Inspector shall act under the general supervision of the licensing authority.

(5) The fee for grant of a certificate shall be ten rupees and a duplicate copy thereof may be granted on payment of a fee of two rupees.

69. *Duties of operators-in-charge.*—The Operator-in-charge shall—

- (a) be present in the enclosure and devote his whole attention to the cinematograph during the whole time that it is being operated;
- (b) before the commencement of an exhibition, satisfy himself

that all cables, leads, connections and fire extinguishing appliances in the enclosure are in proper working order;

(c) inspect the resistances, if not under constant observation, at least one during each performance and switch of the current if any fault is detected; and

(d) not allow the film to travel through the machine at a greater speed than 100 feet a minute.

70. *Apprentices.*—An apprentice duly authorised by the licensee may be allowed in the enclosure. Such apprentice shall not be less than sixteen years of age and shall not be permitted to operate the cinematograph apparatus except in the presence of the operator-in charge.

71. *Person under drink prohibition from operating.*—No person shall operate a cinematograph or be within the enclosure while under the influence of liquor or any other intoxicant.

72. *List of Operators.*—Every licensee shall furnish the licensing authority with a list of operators employed by him and, whenever any operator is engaged by him, he shall furnish the Licensing Authority and the Electric Inspector with particulars regarding him before he is allowed to commence work.

PART VII

Miscellaneous.

73. *When licence may not be granted.*—No licence shall be granted or renewed in favour of any person unless (i) he or his agent is residing in the city, town or area within which the cinematograph exhibition is intended to be given, and (ii) the Licensing Authority is satisfied that the requirements of these rules have been fully complied with.

74. *Special conditions of a licence.*—In addition to the conditions laid down by the Act and these rules, the following conditions shall be deemed always to be inserted in every licence:—

(i) No firework shall be used as an adjunct to a cinematograph exhibition.

(ii) Save as the licensing authority may by written order permit, no loud speaker, gramophone, band, drum bell horn, whistle siren or musical instrument of any kind shall be employed or allowed to be used as an advertisement or to attract attention in or outside the cinema nor shall any device be employed which is designed or serves to deliver the entertainment to persons outside the cinema.

(iii) No poster, advertisement, sketch, synopsis, or programme of a film shall be displayed, sold or supplied, either in or anywhere outside the licensed place which is likely to be injurious to morality or to encourage or incite to crime or to lead to disorder or to offend the feelings of any section of the public or which contains offensive representations of living persons.

(iv) If any accident occurs in a licensed place and such accident results in personal injury or is likely to have resulted in personal injury or loss of life the licensee shall give notice in writing of such accident to the licensing authority, [Electricity Inspector] Government of Rajasthan within 24 hours of its occurrence; and if the accident results in loss of life, the notice shall be given by an express telegram to be confirmed in writing within 24 hours of the occurrence by the (Electricity Inspector) to Government of Rajasthan or any officer specially appointed to assist him in this behalf, the licensee shall not interfere with or remove from the scene of the accident any electrical, mechanical apparatus, wiring, furnishing etc. which may have been involved in the accident.

(v) No portion of any cinema house or its premises shall be occupied or used as a hotel, boarding or lodging house, factory, workshop or manufactory, or for storage or residential purposes except as the licensing authority may for the time being allow.

(vi) No public meeting, promenade concert, boxing, wrestling, dancing, music, public ball or any other public performance or entertainment shall be permitted in such premises without the consent of the licensing authority.

(vii) All parts of the cinema shall be properly and sufficiently ventilated.

(viii) The licensee shall conduct his occupation or business in an orderly manner.

(ix) The licensee shall in no way be regarded as not being subject to the laws in force for the time being with regard to liquor, intoxicating drugs and opium.

(x) No smoking shall at any time be permitted within the auditorium or the enclosure.

(xi) Free access to a cinema shall be given at all hours to any Police Officer attending the same in the execution of his duty and to the officers mentioned in rules 11 and 12.

(xii) No temporary or touring cinema shall be allowed to exhibit films for trade purposes within 5 miles radius of a permanent cinema.

Provided that the Government or the District Magistrate may in a particular case permit the exhibition of films for trade purposes by temporary, touring or Open Air Cinemas within 5 miles radius of a permanent cinema.

75. *Period of appeal.*—An appeal under sub-section (3) of section 5 of the Act shall be preferred by the aggrieved person to the State Government in the Home Department within thirty days of the communication to him of the order of the licensing authority.

PART VIII

Cinema exhibitions in educational or industrial establishments and in the open air.

76. *Application of rules to educational institutions, industrial cinemas and open air cinema.*—The rules in this part and rule 3 in Part II will apply to the cinematograph exhibitions in—

- (a) educational institutions,
- (b) industrial and business establishments; and
- (c) open air cinemas.

77. *Inspection of electrical equipment by Chief Electrical Inspector.*—The electrical equipment shall be initially inspected by the Chief Electrical Inspector or an officer deputed by him who shall send a report to the licensing authority within a period not exceeding one month from the date of receipt of application. A fee of rupees five shall be paid into a Government treasury to the credit of the Government and the treasury receipt furnished to the Chief Electrical Inspector. But 35 m.m. projector installations, which show feature films and admit the general public, shall be inspected once in every year and their electrical certificates renewed.

78. *Grant of free licences.*—The licensing authority may grant a free licence in Form 'F' Within two weeks from the date of receipt of the report referred to in rule 77.

79. *Open air cinema licences.*—While granting licences for open air cinemas, the licensing authority shall take into consideration the interests of permanent and touring cinemas in the neighbourhood.

80. *Supersession of previous rules.*—“The Rajasthan Cinema (Regulation) Rules, 1955” are hereby superseded.

Provided that anything done or any action taken under the rules so superseded shall be deemed to have been done or taken under these Rules and shall continue to be in force accordingly.

FORM (A)

Application

(See rule 4, Part II)

1. Full name of the applicant.
2. Address of the applicant Village Tehsil District
3. Status and previous experience of the applicant.
4. Is the application for a permanent or touring Cinema ?
5. Place where the cinema is proposed to be located, survey number or numbers of the plot or plots village district.

6. Site plan drawn to a scale of not less than one-fortieth of an inch to a foot covering an area up to 200 yards from the boundaries of the proposed site showing—
 - (1) the position of the proposed premises in relation to any adjacent premises and to the public thoroughfare upon which the site of such premises abuts; and
 - (2) thatched sheds, if any, in the neighbourhood.
7. Possession by the applicant of other places; if any, licensed under the Act—
 - (a) whether in the same locality or elsewhere;
 - (b) whether at the time of applying for licence or at any previous time
8. Distance by public road of the proposed site to the nearest—
 - (1) permanent cinema;
 - (2) touring cinema;
 - (3) school;
 - (4) hospital;
 - (5) temple or other religious institution.
9. Interest of the public generally likely to be served by the location of the cinema.
10. Population of the place according to the latest census figures.
11. Suitability of the place where the cinema exhibitions are proposed to be given.
12. Adequacy of the existing places for the exhibition of cinema films in the locality.
13. Benefit to any particular locality or localities to be afforded by the opening of a new place of cinema exhibition.

Dated.

Signature of applicant.

FORM (B)

No Objection Certificate

(Rule 4 in Part II)

In exercise of the powers conferred by section 5A (2) of the Rajasthan Cinemas (Regulation) Act, 1952, I.....
 Collector of....., do hereby
 grant this certificate that there is no objection to Shri.....

.....son of.....resident of village ..
 Tehsil.....District.....
 locating a permanent/touring cinema in the land belonging to Shri
at village.....
 Tehsil..... District.....

The site where the cinema is to be located is specified below:-

(Please give here the description of the site as in Form A).

This 'No Objection' certificate is valid for a period of two years in the case of permanent cinema, and six months in the case of touring cinemas from the date hereof and if within this period the proposed cinema is not put up, a fresh 'No Objection' certificate should be applied for.

Given under my hand this.....day of.....19

Collector of
Licensing authority.

FORM (C)

Licence for exhibition under the Rajasthan Cinemas
(Regulation) Rules, 1959.

(Rule 4 in Part II)

1. Name and address of licensee.
2. If the licensee is not the owner of the place or building, the name and address of the owner thereof.
3. Situation of the place or building.
4. Area of the place or building in square feet.
5. Whether the place or building is to be used during the day or during the night or both.
6. Date of last inspection by the Chief Electrical Inspector or Officer authorised by him.

Special conditions, if any, on which the licence is granted.—

Period for which the licence is to be in force.

Fees paid.

Maximum number of persons permitted in each part of the auditorium:—

In the Class	Persons.
In the Class	Persons.
In the Class	Persons.
In the Class	Persons.
Total	Persons,

Conditions of licence.

This licence is granted subject to the provisions of the Rajasthan Cinemas (Regulation) Act, 1952, and the rules made there-

under. It is also subject to the following conditions. The terms and conditions of the licence, as inserted, may be modified or added to at any time during the currency of the licence:—

(1) This licence does not exempt the licensee or his servants or agents from taking out any other licence required by or otherwise complying with any other law or rule or bye-law made thereunder.

(2) (a) The licensee shall not exhibit or permit to be exhibited any film other than a film which has been certified as suitable for public exhibition by the authority constituted under section 4 of the Cinematograph Act, 1952, and which when exhibited displays the prescribed mark of that authority, and has not been altered or tampered with in any way since such mark was affixed thereto:

Provided that an exhibitor may be allowed to exhibit a film if the censor piece of the film has worn out in the usual course and if the exhibitor possesses an authenticated copy of the original censor certificate

(b) The licensee shall not exhibit or permit to be exhibited, in the place in respect of which this license is given, to any person who is not an adult any film which has been certified by an authority constituted under section 4 of the Cinematograph Act, 1952, as suitable for public exhibition restricted to adults.

Explanation—This condition shall not be construed as prohibiting the exhibition of a film, in respect of which an "A" certificate has been granted, to children in arms below the age of three.

(c) The licensee shall not display or cause to be displayed, any photograph picture or poster which depicts or represents or purports to represent a scene or shot which has been excised from any film under the orders of the Central Board of Film Censors or the Central Government.

(d) There shall be prominently exhibited at each public entrance whenever the premises are open to the public, a notice, indicating in tabular form and in clear bold letters and figures:—

- (i) the title of each film to be shown on that day, other than trailers, and advertisement film;
- (ii) the approximate times of commencement of each such film;
- (iii) whether each such film has received an 'A' or 'U' certificate from the Central Board of Film Censors; and
- (iv) whether persons below the age of 18 years other than children below the age of 3 years, will be admitted or not.

(e) The nature of any certificate received in respect of a film from the Central Board of Film Censors shall clearly be indicated by the letter 'U' or 'A' in any advertisement of the film displayed at the premises.

(3) The licensee shall not exhibit advertisement slides relating to sexual diseases and medicines to correct sexual disorders or purporting to assist the childless in begetting children.

(4) The licensee shall not permit obscene or objectionable posters or pictorial publicity material to be displayed in the licensed premises.

(4-A) The licensee shall send previous information of every film having 'A' certificate proposed for exhibition to the District Magistrate and the District Superintendent of Police simultaneously at least three days before the date of the proposed exhibition.

(5) The grant of this license is subject to any orders that may be passed by the State Government under section (4) of the Act.

(6) The maximum rates of payment for admission to the different classes in the licensed premises shall be as indicated below and these rates shall not be increased during currency of this licence without an order in writing by the licensing authority permitting such increase. The order of the licensing authority in this regard is liable to be cancelled or modified by the State Government, if they consider such a course, just and necessary.

Any person, who is aggrieved by the order of the licensing authority on an application for permission to increase the said maximum rates; may, within thirty days from the date of receipt of such order, appeal to the State Government, who may, after such inquiry as they consider necessary, pass such orders thereon as they think fit.

<i>Class of accommodation</i>	<i>Maximum rate of admission.</i>
I Class
.....

(7) The licensing authority and any subordinate duly authorised by him in that behalf and any police officer deputed to keep order during any entertainment in the licensed premises shall, at all times, have free access to the said premises in order to see whether the conditions of the license are fulfilled.

(8) The licensee shall comply with such directions as the State Government may by general or special order, give as to the manner in which approved films shall be exhibited in the course of any performance.

(9) The licensee shall also comply with such directions as the licensing authority may give in regard to the exhibition of slides in each performance.

(10) No firework shall be used as an adjunct to a cinema exhibition.

(11) No person shall be admitted within a line feet in front of and parallel to the screen. A strong barrier or other efficient partition shall be provided for enforcing this condition.

(12) The licensee shall not, without the permission of the licensing authority, assign, sublet or otherwise transfer the licence or the licensed premises; nor shall the licensee without permission as aforesaid allow any other person during the period of currency of the license, to exhibit films in the licensed premises.

(13) In the case of travelling cinema shows the address on the first day of each month and of every subsequent change of camp shall be notified to the Electrical Inspector.

(14) The licensed, premises shall not be kept open after* on any day without obtaining special permission in writing from the licensing authority in respect of such day.

(15) The licensee shall ensure that no dispute arising out of ownership or possession of the site, building or equipment is likely to cause any breach of the peace at any time.

(16) This license shall be subject to cancellation or suspension for the breach of any of these conditions or of the special conditions specified on the reverse.

Dated.....the..... days of

Seal of the District Magistrate.

FORM (D)

[See rule 10 (b) in Part II]

Government of Rajasthan

Electricity Department

Office of the [Electric] Inspector, Rajasthan

Certificate No.

Dated

Certificate of the cinema apparatus and plant, electric installation, fire-fighting appliances and fire precautionary measures.

Under rule 10 (b) in Part II of the Rajasthan Cinemas (Regulation) Rules, 1959, I certify that the enclosure, the cinema apparatus and plant and the electrical installation of the cinema known as..... and more particularly described overleaf of which Shri.... is the managing proprietor and Shri.... is the manager or person-in-charge at..... ON..... are in order for silent (i. e. non-talkie) films only

both silent and talkie films.

(2) I also certify that the rules regarding the fire-fighting appliances and fire precautionary measures in the licensed premises and rule 36 & 37 in Part VII and rules 57, 58 & 59 in Part IV have been complied with.

(3) This certificate is valid for a period of..... from to..... but is liable to revocation within that period.

(Reverse)

Details of equipment

Equipment:	Maker's name.	Number.	Capacity.
Engine	
Motor	
Generator	
Rectifier	
Projectur	

*The hour fixed by the licensing authority with due regard to local condition (but not earlier than 12 midnight and not later than 1-30 a.m.) should be entered.

Converter	....	....
Transformer	....	....
Amplifier	....	....
Fire extinguishers	....	....

Note:—For renewals, a challan for Rs towards fee for inspection under rule 10 (B) should be sent to reach the [Electric] Inspector on or before the

FORM (E)

[See rule 8 in Part II]

Temporary permit for exhibition under the Rajasthan Cinemas (Regulation) Rules, 1959.

Whereas (full name and address) has applied for the renewal of his licence and the said licence has been retained in any office pending disposal of his application, he is hereby permitted temporarily to exhibit films in
 (here enter description of premises under the Rajasthan Cinemas (Regulation) Act, 1952, for a period of one month from this date, subject to the provisions of rule 3 in part II and the provisions of rules in Part III of the Rajasthan Cinemas (Regulation) Rules, 1959.

Dated the

day of

Collector.

(1) If, on an application for the renewal of a licence made under rule 3, the licensing authority does not for any reason before the date of expiry of the licence, either renew and return the licence or refuse to renew the same, he shall grant a temporary permit in Form E provided that the Chief Electrical Inspector's certificate continues to remain valid.

(2) Such temporary permit shall be subject to the conditions of the licence sought to be renewed, and shall be valid for a period of one month from the date of the grant thereof and may be renewed by the licensing authority for further periods of one month at a time:

Provided that the temporary permit shall cease to be valid and shall be surrendered to the licensing authority on the applicant receiving the licence duly renewed or on his receiving an order refusing to renew the licence:

Provided further that the temporary permit shall be surrendered to the licensing authority on demand made at any time in that behalf.

(3) The temporary permit shall, during the period of its validity, be deemed to be a licence for the purpose of these rules.

FORM (F)

(See rule 78 in Part VIII)

Licence for exhibition under the Rajasthan Cinemas (Regulation) Rules, 1959.

Name and address of licensee

If the licensee is not the owner of the place or building, the name and address of the owner thereof,

Situation of the place or building.

Area of the place or building in square feet.

Material of which the roof, sidewalls, gallery and staircase are made.

Whether the place or building is to be used during the day or during the night or both ?

Date of inspection by the Chief Electrical Inspector or officer authorised by him.

Period for which the licence is to be in force.

Conditions of Licence.

This licence is granted subject to the provisions of the Rajasthan Cinemas (Regulation) Act, 1952, and the rules made thereunder. It is also subject to the following conditions. The terms and conditions of the licence, as inserted, may be modified or added to at any time during the currency of the licence:—

(1) This licence does not exempt the licensee or his servants or agents from taking out any other licence required by or otherwise complying with any other law or rules or bye-law made thereunder.

(2) The licensee shall not exhibit advertisement slides relating to sexual diseases and medicines to correct sexual disorders or purporting to assist the childless in begetting children.

(3) The licensee shall not permit obscene or objectionable posters or pictorial publicity material to be displayed in the licensed premises.

(4) The licensee shall not display or cause to be displayed, any photograph, picture or poster which depicts or represents or purports to represent a scene or shot which has been excised from any film under the orders of the Central Board of Film Censors, or the Central Government.

(5) The licensing authority and any subordinate duly authorised by him in that behalf and any police officer deputed to keep order during any entertainment in the licensed premises shall at all times have free access to the said premises in order to see whether the conditions of the licence are fulfilled.

(6) No firework shall be used as an adjunct to a cinema exhibition.

Dated

the day of

Seal of the Collector.

By order of the Governor,
Z. S. JHALA,
Secretary to the Government.

Notification under

RAJASTHAN CINEMAS (REGULATIONS) ACT, 1952

Notification No. F. 20 (10) Home (A-GrII)/62 dated 15.2.63.—

In exercise of the powers conferred by section 10 of the Rajasthan Cinema (Regulation) Act, 1952 (Rajasthan Act 30 of 1952), the State Government hereby makes the following amendments in the Rajasthan Cinema (Regulation) Rules, 1959, hereinafter referred to as the said rules, namely—

AMENDMENTS

1. In rule 30 of said Rules, for sub-rule (4) the following shall be substituted, namely—

“(4) Extra fans for ventilation shall be provided and fume chimneys over projectors shall be used. Two liquid chemical extinguishers one fire extinguisher using carbon tetra-chloride acid, one bucket of sand, two buckets of water and a damp blanket shall be kept inside the room. A large sponge shall be kept in one of the buckets of water. One liquid chemical extinguisher shall also be kept immediately outside the room.”

2. In rule 36 of the said Rules, clause (1) in para one relating to the ‘Enclosure’, for the words, “A bucket of water a blanket, a bucket of sand & a portable fire extinguisher”, the words “Two liquid chemical extinguishers, one fire ex inguisher using carbon tetrachloride acid, one bucket of sand two buckets of water and a damp blanket shall be kept inside the enclosure. A large sponge shall be kept in one of the buckets of water. One liquid chemical extinguisher shall also be kept outside the enclosure”, shall be substituted.

3. In rule 50 of the said Rules, in sub-rule (1), after the words “Two liquid chemical extinguishers”, the words and comma “one fire extinguisher using carbon tetrachloride acid” shall be inserted.

*(Published in Rajasthan Gazette. (Home (A) Department)
dated 4-4-1963*

Part IV (Ga) Page 11)

NOTIFICATIONS UNDER CINEMAS (REGULATION) ACT

Published in Raj. Raj-patra Dated July 25, 1953 part I at page 491 :

HOME DEPARTMENT II. NOTIFICATION.

Jaipur, July 14, 1953.

No. F. 12 (234) Home 11/52.—In exercise of the power conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952, the Government of Rajasthan hereby exempts exhibitions of cinematograph films in any place in the State of Rajasthan for the purpose of their examination by the Central Board of Film Censors, its Committees, its Advisory Panels and its officers from the operation of all the provisions of the said Act and the Rules made thereunder:

S. D. UJWAL.

Secretary to the Government.

Published in Raj. Raj-patra D/- August 8, 1953 part I at page 555 :

HOME DEPARTMENT II NOTIFICATION.

Jaipur, July 14, 1953.

No. F. 12 (234) Home 11/52 (iv).—In exercise of the power conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952, the Government of Rajasthan hereby exempts exhibition of cinematograph films, whether in a finished or an unfinished state in film studios and projection theatres outside film studios in the State of Rajasthan solely for the purpose of dubbing, synchronising checking and technical analysis or for any purpose connected with the production of a film or for the purpose of obtaining advance publicity or for a purpose connected with the sale or renting of a film to a distributor or an exhibitor, from the operation of all the provisions of the said Act, and the Rules made thereunder, subject to the following conditions, namely:—

(i) No person other than the producer, director, technicians, artists, advisers and others engaged in or for the production of the film, and representatives of the press and distributors and exhibitors invited in connection with arrangements for advance publicity or negotiation for the sale or renting of the film shall be admitted or have access to the place where the exhibition is held.

(ii) No film the exhibition of which has been suspended by the State Government shall be exhibited or permitted to be exhibited.

(iii) If inflammable films are used, the rules for precaution against, and for prevention and extinction of fire, in force in the State shall be observed.

(iv) The owner or the person-in-charge of the film studio or the projection theatre shall, at least 15 days before starting exhibition of films, make a written report to the Chairman, Central Board of Film Censors, Bombay, giving the following particulars, and shall

be bound to supply such further particulars or furnish such further reports as may be specified by the Chairman, Central Board of Film Censors, Bombay:—

(a) Name of the film studio or the projection theatre (with full address);

(b) Name of the owner or the person in charge of the film studio or the projection theatre;

(c) Date from which exhibition of films under the exemption will be started;

(d) Nature of Films that will be exhibited; and

(e) Working hours of the film studio or the projection theatre.

(v) Employees of the State Government, the Chairman and the Regional and Assistant Regional officers of the Central Board of Film Censors engaged in the discharge of their official duties, shall be admitted to the shows where exhibitions are held and to the film shows.

S. D. UJWAL,

Secretary to the Government.

Published in Raj. Raj-patra D/- November 28, 1953 part I at page 945 :

HOME DEPARTMENT II.

NOTIFICATION.

Jaipur, November 14, 1953.

No.F.12(234) Home II/52 (ii).—Government has been pleased to omit item (ii) from this Department Notification No. F. 12 (234) Home II/53 (ii), dated the 17th July, 1953, reading as follows:—

(ii) "No film the exhibition of which has been suspended by the State Government, shall be exhibited or permitted to be exhibited."

S. D. UJWAL,

Secretary to the Government.

Published in Raj. Raj-patra Dated October 23, 1954 Part I (b) at page 496 :

HOME DEPARTMENT III.

NOTIFICATION.

Jaipur, October 12, 1954.

No. F. 12(30) C-Home III/54.—In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952, (Rajasthan Act No. XXX of 1952), the Government of Rajasthan is hereby pleased to exempt M/S Horlicks, Ltd., Calcutta, from the operation of the provisions of section 3 of the said Act in respect of 16 m.m publicity films for exhibition throughout Rajasthan, provided that no admission fees are charged by them, and the place where the exhibition is intended to be given is got approved by the local Superintendent of Police.

By Order,

S. D. UJWAL,

Secretary to the Government.

Published in Raj. Raj-patra D/- November 27, 1954 part IV (c) at page 466 :

(Authorised By His Highness The Rajpramukh).

HOME DEPARTMENT 'C'

NOTIFICATION.

Jaipur, November 25, 1954.

No. F. 12 (34) C Home-II/53.—In exercise of the powers conferred by section 6 of the Rajasthan Cinemas (Regulation) Act, 1952 (XXX of 1952) and in supersession of the condition new in force in this behalf, the Government of Rajasthan hereby issues to every person holding a licence under the said Act in the State of Rajasthan the following directions which shall take effect on the first day of December, 1954:—

1. The Licensee shall so regulate the exhibition of cinematograph films that at every performance open to the public, approved films are exhibited, the approved films to be exhibited in relation to other films at every such performance being in the same proportion as one is to five or the nearest lower or higher approximation thereto.

2. Only such films produced in India as are certified by the Central Government with the previous approval of the Film Advisory Board, Bombay, to be scientific films, films intended for educational purposes, films dealing with news and current events or documentary films shall be deemed to be approved films for the purposes of these directions.

3. Nothing contained in these directions shall be construed as requiring the licensee:—

(a) to exhibit at any performance more than 2,000 feet of approved films of 35 mm size or the corresponding footage of approved films of 16 mm size; or

(b) to exhibit any approved film for more than two weeks continuously; or

(c) to re-exhibit any approved film which has been shown for two continuous weeks; or

(d) to exhibit approved films to the full extent indicated hereinbefore in the event of sufficient number or length of approved films not being available for the time being.

4. For the purpose of computing the corresponding footage of films of 16 mm size in relation to films of 35 mm size, 400 feet of films of 16 mm size shall be deemed to be equivalent to 1,000 feet of films of 35 mm size.

By Order of
His Highness the Rajpramukh
S. D. UJWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated May 14, 1955 part I (b) at page 101 :

HOME DEPARTMENT

NOTIFICATION

Jaipur, April 27, 1955.

No. F. 39 (11) C-Home-C/55—In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952, (Rajasthan Act No XXX of 1952), the Government of Rajasthan is hereby pleased to exempt the Labour Commissioner, Rajasthan, Jaipur, from the operation of the provision of section 3 of the said Act in respect of 16 m. m. educational and recreational films for exhibition to the workers at different industrial places and Labour Welfare centres throughout Rajasthan, provided that no admission fees are charged by him and the place where the exhibition is intended to be given is got approved by the local Superintendent of Police.

By Order
S. D. UJWAL,
Secretary to the Government,

Published in Raj. Raj-patra Dated May 28, 1955 part I (b) at page 156 :

NOTIFICATION
Jaipur, May 13, 1955.

No. F. 39 (12) C-Home-C/55—In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952, (Rajasthan Act No. XXX of 1952), the Government of Rajasthan is hereby pleased to exempt the Chairman, Mica Mines Labour Welfare Fund, Rajasthan, Jaipur, from the operation of the provisions of section 3 of the said Act in respect of 16 m. m. films for exhibition throughout Rajasthan, by the Mobile Cinema Unit of the Mica Mines Labour Welfare Fund for the benefit of the labourers, provided that no admission fees are charged and the place where the exhibition is intended to be given is not approved by the local Superintendent of police.

By Order of
His Highness the Rajpramukh.
S. D. UJWAL
Secretary to the Government.

Published in Raj. Raj-patra Dated June 18, 1955 part I (b) at page 121 :

HOME DEPARTMENT (C)

NOTIFICATION
Jaipur, May 28, 1955.

No. F. 39 (13) C-Home-C/55.—In exercise of the power conferred by section 10 (a) of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No. XXX of 1952), the Government of Rajasthan hereby directs that the following shall be inserted as condition No. 10 in the form of license attached to the Rajasthan Cinemas (Regulation) Rules, 1953:—

“The licensee shall not display, or cause to be displayed, any photograph, picture or poster which depicts or represents or purports to represent a scene or shot which has been excised from any film

under the orders of the Central Board of Film Censors or the Central Government”

By Order,
S. D. UJWAL,
Secretary to the Government

Published in Raj. Raj-patra Dated September 17, 1955 part I (b) at page 430 :

NOTIFICATIONS.

Jaipur, August 26, 1955.

No. F. 12 (32) C/H3/54.—In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Rajasthan Act XXX of 1952) the Government of Rajasthan is hereby pleased to exempt the Manager, Lakheri Cement Works, Lakheri, (hereinafter referred to as “the Licensee”) from so much of sub-rule (2) of rule 3 of the Rajasthan Cinemas (Regulation) Rules, 1953 as requires that the annual licence for a cinema should be in respect of a permanent building, and from Part III (Rules 16 to 51) of the said rules, in respect of the 35 m.m. Cinema Projectors operated by the licensee at the said Cement Works with a view to providing entertainment and as a measure of amenity to the employees of the said Cement Works, subject to the following conditions:—

1. No admission fee shall be charged by the licensee for admission to the Cinema.

2. The place where the films are exhibited will be got approved by the local Superintendent of Police, and if the Superintendent of Police considers it necessary that the place of exhibition and the cinematograph and the electrical equipment to be used in the cinema should be got examined by the various officers mentioned in sub-rule (1) of rule 10 of the said rules, the licensee should be bound to get this inspection carried out at his cost, and shall, notwithstanding the exemption given above from Part III of the said rules be bound to comply with such of the provisions of the said Part as the particular Officer inspecting the cinema etc. may desire the licensee to comply with.

Note.—(a) The licensee will, of course, have to obtain the annual licence under the rules and pay the prescribed fee, which is Rs. 200/-at present for renewal.

(b) This notification is not to be regarded as exempting the licensee from the Indian Electricity Act, 1910.

By Order of
His Highness the Rajpramukh
S. D. UJWAL.
Secretary to the Government.

Published in Raj. Raj-patra Dated August 4, 1956 part I (b) at page 370 :

NOTIFICATION

Jaipur, July 9, 1956.

No. F. 39 (12) H.C./55.—In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952,

(Rajasthan Act, XXX of 1952) the Government of Rajasthan hereby amends its Notification of even number dated the 13th May, 1955, published in the Rajasthan Gazette dated the 28th May, 1955 Part B at page 156 as follows, namely:—

For the words and figures "16 m. m. films" appearing in the said Notification, the words and figures "35 m. m. films" shall be substituted.

By Order of
His Highness the Rajpramukh,
DURGA PRASAD SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra Dated November 28, 1957 part I (b) at page 779 :

HOME DEPARTMENT. (D)

NOTIFICATION.

Jaipur, November 18, 1957.

No F. 13 (25)HD/57.—In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No. XXX of 1952) the Rajasthan Government, being of the opinion that reasonable grounds exist for doing so, does hereby exempt cinematograph exhibition of films in connection with the propaganda of tea as conducted by the Tea Board constituted by the Ministry of Commerce and Industry, Government of India, throughout the area of Rajasthan from the operation of section 3 of the aforesaid Act subject to the following conditions, namely:—

(1) Only films of the Tea Board certified as such by the Central Board of film Censors and such other documentary films of the Central and State Governments as may be permitted to be exhibited along with them shall be exhibited.

(2) No film which has been declared as uncertified or the exhibition of which has been suspended under the Rajasthan Cinemas (Regulations) Act, 1952, shall be exhibited.

(3) No admission fee shall be charged.

(4) No advertisement films other than those of the Tea Board shall be exhibited.

(5) Employees of the State Government, Members of the Central Board of Film Censors and its Advisory Panels and Regional and Assistant Regional Officers of the Board in discharge of their official duties shall be admitted to the place where the exhibitions are held and to the film shows.

(6) As and when necessary the State Government may request the Tea Board to exhibit a few of the Government of India or the State Government films.

(7) A clear space of six feet shall be allowed allround the place where the van is stationed for conducting shows and the space so allowed clearly cordoned off.

(8) A fire-proof steel box shall be provided for storage of films.

(9) In addition to the provision of C. T. C. extinguishers in the room, 2 gallon soda acid extinguishers, 2 strirrup pumps and 4 buckets of water, one bucket of sand and a blanket shall be provided in the van to meet any contingency as the scope of usefulness of the C.T.C. extinguisher is vary limited in enclosed structures such as vans.

(10) No external fencing shall be allowed within a distance of 10 feet where the van is stationed.

(11) The sanctionee shall comply with such of the provisions of the Indian Electricity Act, 1910 and the Indian Electricity Rules made thereunder, as are applicable to the premises.

(12) This exemption shall be valid for a period of one year with effect from the date of this notification unless revoked earlier.

By Order of the Governor,
C. S. GUPTA,
Secretary to the Government.

*Published in Raj. Raj-patra Dated January 30, 1958 part I (b) at page 1038 :
Jaipur, January 21, 1958.*

No. F. 13 (51) H D/57/271.—In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No. XXX of 1952), the Rajasthan Government, being of the opinion that reasonable grounds exist for doing so, does hereby direct that the condition contained in sub rule (3) of rule 3 of the Rajasthan Cinemas (Regulation) Rules, 1953, that the aggregate period of a temporary licence cannot exceed six months in a calendar year shall not apply to cinematograph exhibition of films by Subhas Talkies, Hanumangarh at Hanumangarh Town, District Ganganagar for a period of one year commencing on the 1st day of January, 1958 or the day the said Subhas Talkies commence exhibition in the said place, whichever is earlier.

By Order of the Governor,
C. S. GUPTA,
Secretary to the Government.

Published in Raj. Raj-patra Dated June 26, 1958 part IV (c) at page 555 :

HOME 'D' DEPARTMENT

NOTIFICATION

Jaipur, June 10, 1958.

No. F. 13 (30) Home. D/57.—In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No. XXX of 1952), the Rajasthan Government, being of the opinion that reasonable grounds exist for doing so, does hereby direct that the condition contained in Sub-Rule (3) of Rule 3 of the Rajasthan Cinemas (Regulation) Rules, 1953 that the aggregate period of a temporary licence cannot exceed six months in a calendar year, shall not apply to cinematograph exhibition of films by the Rajasthan Talkies, Sangaria at Sangaria Town, District Ganganagar

for a period of one year commencing on the 1st day of July, 1958, subject to the conditions that:—

(1) There shall be made adequate arrangement for prevention of fire;

(2) The screen will be cordoned off and kept apart from the place where people will sit;

(3) The temporary structure where exhibition of cinematograph will be made, shall be temporarily covered in rainy and winter seasons;

(4) There shall be maintained sufficient number of exits to enable cinemagoers to come out immediately in the event of out-break of fire etc; and

(5) Adequate arrangement for seating and other normal conveniences shall be made for cinemagoers.

By Order of the Governor,
C. S. GUPTA,
Secretary to the Government.

Published in Raj. Raj-patra Dated October 3, 1957 part I(a) at page 466.

HOME DEPARTMENT (D)

NOTIFICATION

Jaipur, September 20, 1957.

No. F. 13 (25) HD/57.—In exercise of the powers conferred by Section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No. XXX of 1952) the Rajasthan Government being of the opinion that reasonable grounds exist for doing so, does hereby exempt cinematograph exhibition of films in the premises of recognised educational institutions throughout the area of Rajasthan from the operation of section 3 of the aforesaid Act, subject to the following conditions namely:—

(1) Only films of a predominantly educational nature, certified as such by the Central Board of Film Censors or one of the former State Boards or films approved as scientific films, films intended for educational purposes, films dealing with news and current events or documentary films approved by the Film Advisory Board shall be exhibited or permitted to be exhibited;

(2) No admission fee, except to the extent required to cover expenses, shall be charged.

(3) No person other than students and staff of the institutions, Members of Managing Committees of the Institutions and any guests specially invited by the authorities or the institutions and those enumerated under condition (8) below shall be admitted to the show.

(4) Only non-inflammable films and film strips shall be exhibited or permitted to be exhibited.

(5) No advertisement films shall be exhibited or permitted to be exhibited.

(6) All Institutions which avail themselves of this exemption shall maintain a register of the films exhibited and comply with any other directions that may be issued in this behalf by the state Government. The Register shall be open to inspection by duly authorised officers of the state Government.

(7) This exemption shall be valid for a period of one year with effect from the date of this notification unless revoked earlier.

(8) Employees of the State Government Members of the Central Board of Film Censors and its Advisory panels and Regional and Assistant Regional Officers of the Board in discharge of their official duties shall be admitted to the place where the exhibitions are held and to the film show.

By order of the Governor,
SAMPATMAL,

Secretary to the Government.

Published in Raj. Raj-patra Dated March 17, 1956 part IV (c) at page 1231:

(Authorised by His Highness the Rajpramukh)

NOTIFICATIONS

Jaipur, February 4, 1956.

No. F. 12 (34) Cinu-H 2/53.—In exercise of the powers conferred by section 10 of the Rajasthan Cinemas (Regulation) Act, 1952

(Rajasthan Act XXX of 1952), the Government of Rajasthan hereby makes the following amendment in the Rajasthan Cinemas (Regulation) Rules, 1953, namely:—

AMENDMENT

In Form A (Form of license) annexed to the said rules, for conditions No. (4), the following shall be substituted, namely:—

“4 That the licensee shall comply with such directions as may be issued by the State Government from time to time under section 6 of the Rajasthan Cinemas (Regulation) Act, 1952 (Rajasthan Act XXX of 1952), and shall comply with such directions as the Central Government or the State Government may by general or special order give with regard to the manner of exhibiting the films referred to in that section and other matters relating thereto.

Note:—The direction issued as aforesaid by the State Government as at present in force is given below:—

“Notification No. F. 12 (34) C-Home-II/53, dated the 25th November, 1954—In exercise of the powers conferred by section 6 of the Rajasthan Cinemas (Regulation) Act, 1952 (XXX of 1952), and in supersession of the condition now in force in this behalf, the Government of Rajasthan hereby issues to every person holding a license under the said Act in the State of Rajasthan the following directions which shall take effect on the first day of December, 1954:—

1. The licensee shall so regulate the exhibition of Cinematograph films that at every performance open to the public, approved films are exhibited, the approved films to be exhibited in relation to other films at every such performance being in the same proportion as one is to five or the nearest lower or higher approximation thereto.

2. Only such films produced in India as are certified by the Central Government with the previous approval of the Film Advisory Board Bombay, to be scientific films intended for educational purposes, films dealing with news and current events or documentary films shall be deemed to be approved films for the purposes of these directions.

3. Nothing contained in these directions shall be construed as requiring the licensee—

(a) to exhibit at any performance more than 2,000 feet of approved films of 35 mm size or the corresponding footage of approved films of 16 mm size; or

(b) to exhibit any approved film for more than two weeks continuously; or

(c) to re-exhibit any approved film which has been shown for two continuous weeks; or

(d) to exhibit approved films to the full extent indicated hereinbefore in the event of sufficient number or length of approved films not being available for the time being.

Notifications under

The Rajasthan Cinemas (Regulation) Act, 1952.

Published in Rajasthan Raj-patra part IV(c) dated August 18, 1960 at page 285

Home (A) Department

NOTIFICATION

Jaipur, August 2, 1960.

No. D. 3389/F. 14/29/Home/(D)/60.—In pursuance of the provisions of sub-section (3) of section 5 of the Rajasthan Cinemas (Regulation) Act, 1952 (30 of 1952), the State Government hereby specifies every 'Divisional Commissioner' as the 'Officer' to whom appeals under the aforesaid sub-section of the said Act might be preferred within his respective jurisdiction.

By Order of the Governor,
Z. S. JHALA,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated October 15, 1959 at page 771

Home (D) Department

NOTIFICATIONS

Jaipur, August 12, 1959.

NO. F. 12 (34)/Cine./Home D/53.—In exercise of the powers conferred by section 6 of the Rajasthan Cinemas (Regulation) Act, 1952 (Rajasthan Act XXX of 1952), and in supersession of the notification No. F. 12 (34) C-Home-II/53 dated the 25th November, 1954, the Government of Rajasthan hereby issues to every licensee under the said Act in the State of Rajasthan the following directions which shall have effect from the date of the publication of this notification in State Gazette of 1959.

1. The licensee shall so regulate the exhibition of cinematograph films that, at every performance open to the public, approved films are exhibited, the approved films to be exhibited in relation to other films at every such performance being in the same proportion as one is to five or the nearest lower or higher approximation thereto.

2. Only such films produced in India as are approved by the Central Government after considering the recommendations of the Film Advisory Board, Bombay, to be scientific films, films intended for educational purposes, films dealing with news and current events or documentary films shall be deemed to be approved films for the purposes of these directions.

3. Nothing contained in these directions shall be construed as requiring the licensee—

2] Notifications under The Rajasthan Cinemas (Regulation) Act, 1952.

- (a) to exhibit at any performance more than 2,000 feet of approved films of 35 mm size of the corresponding footage of approved films of 16 mm size; or
- (b) to exhibit any approved film for more than two weeks continuously; or
- (c) to re-exhibit any approved film which has been shown for two continuous weeks; or
- (d) to exhibit approved films to the full extent indicated hereinbefore in the event of sufficient number of length of approved films not being available for the time being.

4. For the purpose of computing the corresponding footage of films of 16 mm size in relation to films of 35 mm size, 400 feet of films of 16 mm size shall be deemed to be equivalent to 1,000 feet of films of 35 mm size.

Notifications under

THE RAJASTHAN CINEMAS (REGULATION) ACT, 1952.

Published in Raj- Raj-patra part IV (c) at page 1 :

Office of the Collector and District Magistrate, Jaipur

ORDER

Jaipur, April 17, 1961.

No. Jud. 1961/1:—In exercise of the powers conferred upon me under Rule 11 of the Rajasthan Cinemas Regulation Rules, 1959 read with section 10 of the Rajasthan Cinemas (Regulation) Act of 1952, I, A. P. Dewan Licensing Authority Jaipur, under the aforesaid Act, do hereby authorise the Sub-Divisional Magistrates of this District to discharge the responsibility and to exercise the powers of the Licencing Authority under the Rules in the areas within their respective Sub-Divisions.

A. P. DEWAN,
Licensing Authority,
District Magistrate Jaipur.

Published in Raj, Raj-patra part IV (c) dat July 13, 1961 date page 161 :

Jaipur, June 13, 1961.

No. F. 21 (27) Home(A—Gr. II)/60.—This Department notification No. D. 3389—F. 14/29/Home (D)/60 dated the 2nd August, 1960 issued in pursuance of the provisions of sub-section (3) of section 5 of the Rajasthan Cinemas (Regulation) Act, 1952 (30 of 1952) and published in Rajasthan Rajpatra No. 20 dated 18-8-1960 at page No. 285 of Part IV C is hereby cancelled.

By Order of the Governor,
Z. S. JHALA,
Secretary to Government.

Published in Raj Raj-patra part IV (c) dated December 14, 1961 at page 444-445

Home 'A' Department

NOTIFICATION

Jaipur, October 30, 1961.

No. F. 20 (14) Home (A-Gr II)/61.—In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation, Act) 1952 (30 of 1952), the State Government, being of the opinion that reasonable grounds exist for doing so, does hereby exempt the Cinematograph exhibitions to be given by the Hony. Secretary, Rajasthan State Co-operative Union, Jaipur, through Mobile Cinema Van for imparting Co-operative Education by exhibiting the film shows to the Co-operators and Rural Folks, free from any entry fee from the provisions of section 3 of the Rajasthan Cinemas (Regulation) Act, 1952, for a few months in a year.

By Order of the Governor,
Z. S. JHALA,
Secretary to Government.

Rules and Notifications under
CIVIL COURTS ORDINANCE 1950. THE RAJASTHAN
(7 OF 1950)

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GENERAL RULES (CIVIL), 1952

Rajasthan High Court, Jodhpur

Notification

Jodhpur, December 7, 1962.

No. 10/S. R. O.—The High Court with the approval of the Governor of Rajasthan makes the following amendments in General Rule (Civil), 1952:—

Amendment No. 73.

Chapter XXVI Miscellaneous.

1. The following shall be substituted for Rule 629:—

“A District & Sessions Judge or a Civil and Additional Sessions Judge need not apply to the High Court for casual leave. But he should submit a report to the High Court as soon as he returns to duty from such leave, giving reasons for his leave and its duration. A Civil & Additional Sessions Judge should inform his District Judge of his intended absence on such leave and the reasons therefor to enable the District Judge to make suitable arrangement for the disposal of urgent work during his absence.

If however, a District Judge or a Civil and Additional Sessions Judge has to leave headquarters during casual leave, he must obtain previous permission of the High Court for doing so. But if for any unforeseen reason or for reasons beyond his control, he is required to leave his headquarters all of a sudden during the period of his leave, he should inform the High Court of his having proceeded on casual leave in anticipation of permission and the reasons which necessitated his doing so, before he leaves his headquarters. A Civil and Additional Sessions Judge should inform his District Judge of his having proceeded on such leave and the reasons therefor, before he leaves his headquarters so as to enable the District Judge to make suitable arrangements for the disposal of urgent work during his absence.

When a Civil Judge or a Judge of the Court of Small Causes wants to avail himself of casual leave, he should apply to his District Judge and get it sanctioned from him before he proceeds on such leave unless for reasons beyond his control he cannot do so. In the latter case, he should obtain such sanction as early thereafter as possible.

If, however, he has to leave his headquarters during his casual leave, he must obtain the previous permission of his District Judge for doing so. But if for any unforeseen reasons beyond his control, he is required all of a sudden to leave his headquarters during the period of his casual leave, he should inform his District Judge of his having proceeded on such leave in anticipation of permission and the reasons which necessitated his doing so before he leaves his headquarters.

Presiding Officers may allow casual leave to their staff.

The duration of casual leave shall not exceed 15 days in the year. Sundays and other gazetted holidays may be prefixed and/or suffixed to casual leave, provided the total absence on such leave, together with Sundays or holidays, does not exceed 10 days at a time.

2. Rule 615 shall be deleted.

By Order.
ROOP SINGH,
Registrar.

[Pub. Raj. Raj-patra Part IV (c) dated Jan. 3, 1963 at Page 751]

Rajasthan High Court, Jodhpur

NOTIFICATIONS

Jodhpur, March 19, 1963.

Notification No. 3/S. R. O.—The High Court with the approval of Governor of Rajasthan has made the following amendments in the General Rules (Civil) 1952.—

Amendment No. 74.

Volume 1-Rules

Chapter VIII

Inspection and Search of Records.

Rule 197.—The word 'Book' shall be substituted for the words and figure "register (Reg. 7)" in this rule.

Chapter IX

Copies and Copying Department.

Rule 244 —This rule shall be deleted.

Chapter X

Civil Courts Accounts.

Rule 253.—"Item 10" of this rule shall be deleted and subsequent items be-re-numbered accordingly.

Rules 288 and 290.—These rules shall be deleted.

Rule 295.—(i) The words 'and shall be deducted in the plus and minus memorandum from the closing balance of March' in the end of para 1 shall be deleted.

(ii) The last sentence viz, 'A copy of the list shall be forwarded to the Accountant General' of para 2 shall be deleted.

Rule 298.—This rule shall be deleted.

Chapter XII

Civil Courts Register.

Rule 334.—The words "At the end of each year" shall be substituted for the words "In the first week of each month" appearing in the first line of para 2 of this rule.

Chapter XIII

Returns and Reports.

Rule 345.—Items '(e) & (f)' of this rule shall be deleted.

Rules 349.—(i) The words "At the end" shall be substituted for the words "In the first week of every quarter" in the first line of para 1 of this rule.

(ii) The words "An Annual" shall be substituted for the words 'A quarterly' in the first line of para 2 of this rule.

Chapter XVIII

Forms, Stationery and their Indents.

Rules 472.—Last para of this rule shall be deleted.

Chapter XIX

Amins.

Rules 497 and 503.—These rules shall be deleted.

Volume II—Appendices

Appendix 'C'

List of Registers prescribed by the General Rules (Civil), 1952.

(i) The items '7, 23 and 88' shall be deleted.

2. Specimen forms of registers prescribed by the General Rules (Civil).

(A) The forms of the following Registers shall be deleted.

(i) Register No. 7—Register of Records taken by Presiding officers to their Residence (Rule 197).

(ii) Register No. 23—Pass Book (Rule 253).

(iii) Register No. 88—Register of non-saleable printed forms (Rule 472).

(B) Register No. 87—Stock book of non-saleable printed forms.

The column "Invoice or Bill No." shall be added after column No. 3.

Appendix D.

(1) List of Returns (Statements) and Reports prescribed by the General Rules (Civil), 1952.

(i) Items Nos. 5, 6, 7, 13, 14, 15, 16, 18 24,25, 28, 33, and 34 shall be deleted.

(ii) Item No. 8 shall be deleted from its existing place and inserted as item No 34A after substituting the word 'Annual' for the word "monthly" wherever it occurs.

(iii) Item No. 28 shall be deleted from its existing place and inserted as Item No. 49A after substituting the word 'Annual' for the word 'quarterly' wherever it occurs.

(2) Specimen forms of Returns (Statements) and Reports prescribed by the General Rules (Civil), 1952.

A. The specimen forms of the following returns shall be deleted:—

- (i) Return No. 5—Monthly extract from the Register of Receipts of Deposits (288).
- (ii) Return No. 6—Monthly extract from the Register of Repayments of Deposits (Rule 288).
- (iii) Return No. 7—Monthly consolidated plus and minus Memorandum (Rule 290).
- (iv) Return No. 13—Monthly statement of work done by Amin (Rule 497).
- (v) Return No. 14—Copy of diary of Amin for preceding month (Rule 503).
- (vi) Return No. 15—Monthly Return of sums realised by Amin (Rule 503).
- (vii) Return No. 16—Monthly statement of movable property attached under the orders of the Court, remaining under the Custody of the Amin or in that of an Intermediate Custodian (Rule 503).
- (viii) Return No. 24—Quarterly list of pending regular suits stayed by orders passed by the High Court (Rule 345).
- (ix) Return No. 25—Quarterly list of pending execution cases stayed by the High Court (Rule 345).
- (x) Return No. 33—Annual list of lapsed deposits credited to Government (Rule 295).
- (xi) Return No. 34—Annual Clearance Register (Rule 298).
- (xii) Return No. 26—Quarterly statement explaining the delay in suits pending over one year. The 'Note No 6' below it shall be deleted.

(Rajasthan High Court-Part IV (Ga) dated 22-8-63 at Page 169-173).

Rajasthan High Court, Jodhpur

... Notification

Jodhpur, April 26, 1963.

No. 5/S. R. O.—The High Court with the approval of the Governor of the Rajasthan has made the following amendment in the General Rules (Civil) 1952:—

Amendment No. 75.

Chapter XXII—Legal Practitioners. Disabilities of Lawyers.

Rule 542 A shall be amendment as follows:—

"In sub rule (2) of Rule 542 A, the word 'Nyaya' shall be added before the word 'Panchayat' occurring in the first line".

By Order;
ROOP SINGH,
Registrar

(Pub. Raj. Raj-patra Part IV (c) Dt. 13-6-1963 at Page 63)

Notification No. 2/S R. O.—The High Court with the approval of the Governor of Rajasthan has made the following amendment in the General Rules (Civil), 1952:—

(Amendment No. 1)

Volume I Rules

Chapter XIX

Amins

Rule 504 This rule shall be deleted.

Rajasthan High Court Notification published in Rajasthan-Gazette-Part 4 (Ga.)-dated 20-2-64 Page 671 (49).

Rajasthan High Court, Jodhpur.

June, 1964.

Notification No. 4/S. R. O.—The High Court with approval of the Governor of Rajasthan has made the following amendments in the General Rules (Civil), 1952:—

Chapter X

Civil Court Accounts

Rule 257: The following shall be substituted for the existing last sentence in Rule 257:—

“The Munsarim shall return the tender to the applicant in triplicate for presentation and payment of the money to the officer named in the order endorsed thereon”.

Rule 264: The following shall be substituted for the existing Rule 264:—

“At the close of the day, the Munsarim shall take the Register of Tenders to the Receiving Officer and shall compare the entries with the treasury receipted challans received from the Treasury and with the Receiving Officer's Register of Petty Receipts and Re-payment. When money has been deposited; the Receiving Officer shall certify such receipt in the Register of Challans (Tenders) giving the number of the register, the Court number and the general or serial number and the date. The Munsarim shall then countersign the Receiving Officer's Certificate, at the foot of the Original Tender in case the money is received by the Receiving Officer and cause the Original Tender to be filed with the record to which it relates.”

[Pub. in Raj. Gaz. Ex. Part IV (Ga)—Dt. 10-9-64 Page 317]

Rajasthan High Court, Jodhpur.

Jodhpur, March 23, 1965.

Notification No. 2/S. R. O.—The High Court with the approval of the Governor of Rajasthan has made the following amendments in the General Rules (Civil), 1952:—

(Amendment No. 78)

Chapter I

The following shall be inserted as rule 17-A after Rule 17:—

“Whenever an Additional District Judge or a Civil Judge Assumes charge of the office of the District Judge and exercises his powers under section 11 of Rajasthan Civil Courts Ordinance (No. VII of 1950) he may, while in-charge of such office in addition to his normal duties, carry on the current routine work of the District Judge and may pass interim Judicial orders in any urgent civil matter arising out of or relating to the cases on the file of the District Judge:

Provided that while passing such order, the Additional District Judge or the Civil Judge, as the case may be shall, direct that the same shall be put up for final orders before the District Judge, immediately on the latter's resuming or assuming charge of the office and the District Judge may thereupon pass such orders as he may consider necessary.”

[Pub. Raj Gaz. 4 (Ga)—Dt. 29-4-65—Page—57]

Rajasthan High Court, Jodhpur

Jodhpur, October 28, 1965

Notification No. 7/S. R. O.—The High Court with the approval of the Governor of Rajasthan, has made the following amendments in the General Rules (Civil), 1952 (Part II).

Part II—Chapter XII

Appendix—C

(2) Specimen forms of Registers prescribed by the General Rules (Civil), 1952.

Register No. 53

(Rule 335)

Register of Gradation List of Establishment of Judgeship.

The following column shall be added after to column No. 3 as column No. 4 and the existing column No 4 to 10 shall be renumbered accordingly:—

“Column No. 4—date of birth in Christian-Era”.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 20.1.66—Pages 514]

Rajasthan High Court, Jodhpur

Jodhpur, October 6, 1966

Notification No. 3/S R.O.—The High Court with the approval of the Governor of Rajasthan has made the following amendment in General Rules (Civil), 1952:—

Amendment No. 6

Chapter IV—Arrangement Preservation and Destruction of Judicial Records.

In rule 137 after sub-rule (11) the following sub-rule may be added—

“(12) The records of all other cases which do not fall in any of the classes mentioned hereinbefore shall belong to class III.”

[Pub. in Raj. Gaz 4 (Ga)—Dated 17-11-66—Page 381 (6)]

High Court Rules (Civil) 1952

1. Through Notification No. 1/S R. O. dated February 19, 1962, issued by Rajasthan High Court, Jodhpur and published in Rajasthan Rajpatra, part IV (c) dated April 26, 1962, following amendments in (Civil) Rules, 1952 have been made :—

- (a) In rules 204, 307, 308, 311 and sub-rule (2) of rule 313 for the words 'one anna' or 'an anna' the figures and letters '6 nP.' have been substituted.
- (b) The present last sentences in Article 7 part I, Article 6 part II and Article 6 part III in rule 30 have been substituted for the previous ones, reproduced below in the like order :—

On sales conducted by Civil Courts at the rate of $6\frac{1}{4}$ percent or one anna in the rupee.

On sales conducted by Civil Courts, at the rate of $6\frac{1}{4}$ percent, or one anna in the rupee.

On sales conducted by Civil Courts, at the rate of $6\frac{1}{4}$ percent, or one anna in the rupee.

2. Similarly Notification No. 6/S R. O. dated September 14, 1962 issued by our High Court and published in Rajasthan Rajpatra, part IV (c) dated October 4, 1962 the note below rule 431 has been newly added.

3. Present rule 46 has been substituted for the previous one vide Rajasthan High Court Notification No. 18/S R.O. dated December 13, 1958, previously rule 46 stood as under :—

Duty of court upon production of documents.—The court shall inspect and consider all documents as soon as possible after issues are framed and before evidence is produced, and shall :—

- (a) *When inadmissible.*—where they are held by the court under Order XIII, rule 3, to be irrelevant or otherwise inadmissible, forthwith reject them;
- (b) where not rejected under Order XIII, rule 3, and held to be relevant and admissible in evidence, admit them in evidence, mark them as provided in Order XIII, rule 4, and note the fact in the record;
- (c) if a document, which is admitted in evidence and marked under the provisions of the preceding sub rule requires to be proved by oral evidence, and the party producing it does not produce any oral evidence to prove it, the document; at the conclusion of the party's evidence shall be marked by the court in the following manner :—
"No oral evidence in proof of document."

4. Present para 2 below rule 14 has been substituted for the previous para vide Notification No. 26/S.R.O. dated December 23, 1958.

Previously para 2 stood as under :—

In the absence of any special notice, such applications etc. shall be presented at the commencement of the sitting of the court at 10-30 A. M. (or 7-0 A. M. during summer hours) and half an hour before the time for the rising of the court at 4-0 P. M. (or 11-30 A. M. during summer hours), that is, at 3-30 P. M. (or 11-0 A. M.).

Sub-rule (2) & (3) of rule 97 have been newly added vide Notification No. 4/S.R.O. dated August 7, 1959.

6. Item 50 B and the relevant Register 50 B in Appendix C have been newly inserted vide Notification No. 6/S.R.O. dated August 19, 1959.

7. In rules 195, 196, 203 (2), 205, 224, 225 (2), 304 & 313 (i) annas have been changed into naya paisa vide Notification No. 9/S. R. O. dated september 19, 1959.

8. (a) Column No. 5 in Register No. 35 in Appendix-C has been deleted and subsequent columns 6 to 33 have been renumbered as 5 to 32 and existing heading of column No. 4 has been substituted as at present.

(b) Words and figures "sections 39 & 68" in column No. 8 of Return No. 21 in Appendix-D have been substituted by the word and figure "section 39" and column No. 10 of return No. 42 has been deleted and the subsequent columns 11 to 26 have been renumbered as 10 to 25.

These amendments have been made through Rajasthan High Court Notification No. 4/S.R.O. dated March 15, 1962.

9. Notification No. 5/S R O. dated 30/5/62 issued by the Rajasthan High Court and published in Rajasthan Rajpatra, supplement to No. 12, part IV (c) dated June 12, 1962, has enabled insertions of notes (1) & (2) below rule 24.

10. Sections 'G' & 'H' in Chapter XVII have been newly inserted vide Rajasthan High Court Notification No. 9/S.R.O. dated October 6, 1962 and No. 8/S.R.O. dated September 17, 1962 respectively.

HIGH COURT RULES (Civil) 1952

Jodhpur, November 3, 1952.

No. 48/Gen.—The High Court of Judicature for Rajasthan, in exercise of the rule making powers conferred upon it by Article 227 of the Constitution of India and all other powers enabling it in that behalf, and with the approval of His Highness the Rajpramukh of Rajasthan, has made the Rules annexed hereto for the guidance of the Civil Courts subordinate to it.

BY Order of the Court,
M. L. RAZDAN,
Registrar.

Notes

These rules have been framed in exercise of rule making power conferred upon the High Courts under Article 227 of the Constitution of India. Every High Court has power of superintendence over all Courts and Tribunals within its jurisdiction. Without prejudice to the generality of the power of superintendence, the High Courts are authorised under Article 227 of the Constitution to;

- (a) call for returns from such courts;
- (b) make and issue general rules and prescribe forms for regulating the practice and proceedings of such courts; and
- (c) prescribe forms, in which books, entries and account shall be kept by the officers of any such courts.
- (d) settle table of fees to be allowed to the sheriff and all clerks and officers of such courts and to attorneys, advocates and pleaders practising therein.

Any rules made, forms prescribed or tables settled in pursuance of these powers shall not be inconsistent with the provision of any law for the time being in force and shall require the previous approval of the Governor.

These rules have been framed for the guidance of civil courts subordinate to the High Court of Rajasthan after obtaining previous approval of the His Highness of Rajasthan.

CHAPTER I PRELIMINARY.

1. *Title.*—These rules may be called the General Rules (Civil), 1952.

2. *Commencement and extent.*—They shall come into force on the first day of January, 1953 and apply to all suits, appeals, proceedings and matters, so far as may be, in the Civil Courts subordinate to the High Court, pending, or commenced on or subsequent to that date.

3. *Repeal.*—All previous rules relating to matters which are provided for in these rules are hereby repealed.

4. *Administrative control.*—Subject to any Act or rules and to the Superintendence of the High Court, the District Judges shall have administrative control over all civil courts including the court of an Additional District Judge within the local limits of his jurisdiction, and, in an outlying district or outlying Munsifi, the senior

These rules have been first published in Rajasthan Raj-patra dated Nov., 8, 1952 in Part II at page 1.

most judicial officer in the station will be in immediate administrative charge of all the civil courts there, subject in addition, to the administrative control of the District Judge.

5. *Officers in Charge.*—Subject to the general control and supervision of the District Judge, the Central Nazarat, Record Room, Amins, and Copying Department at the headquarters of a District Judge or at any other place where two or more civil Courts are located shall each be placed in charge of a Judicial Officer nominated by the District Judge.

6. *Office hours.*—The hours of work in offices of Civil Courts shall be 10-30 A.M. to 4-30 P. M. and during summer hours, 7-0 A. M. to 12-0 noon.

7. *Attendance Register.*—The Munsarim (or Reader) of every court shall maintain an attendance register of the staff in the prescribed form (Reg. 1) and shall put it up before the presiding officer every week.

8. *Clerks not to take records.*—Clerks shall not take records to their houses and shall finish their work within office hours in court buildings.

9. *Daily sittings of Judges.*—The hours of work in Civil Courts shall be as Under:—

10-30 a.m. to 11-0 a.m. In Chamber

11-0 a.m. to 1-30 p.m. Court

1-30 p.m. to 2-0 p.m. Lunch Interval

2-0 p.m. to 4-30 p. m. Court.

During summer hours, the hours of work shall be from 7 a.m. to 11-30 a.m.

10. *Administrative work.*—All administrative work shall, so long as there is judicial work to be done between the above hours, be conducted outside those hours, and may be done in the presiding officer's retiring room.

11. *Work on holidays.*—Except with the consent of parties, no suit, case or appeal shall be heard on a gazetted holiday; provided that on a gazetted holiday a court shall not refuse to do any act or make any order urgently required or which may with propriety be done or made out of court.

11-A. If a case is fixed for a day on which the Court does not sit on account of its being later found or declared to be a holiday, the case will be taken up on the next day on which the Court sits.

12. *Attendance register.*—A register of attendance in the prescribed form (Reg. 2) shall be kept by every Judge in his own hand and shall be signed by him at the end of each month; provided that in the case of a change during the month, the officer relieved and the relieving officer shall respectively sign their own registers up-to-date. The District Judge shall forward a true copy of his own

register to the High Court at the end of each month and shall also report if the subordinate courts have observed court hours during the month. The registers of all subordinate courts at headquarters and true copies of registers of outlying courts shall be submitted to the District Judge at the end of each month. The District Judge may pass necessary orders about the timings observed by subordinate courts and shall forward such registers or their copies to the High Court only if he considers it necessary.

13. *Weekly Cause List.*—A cause list, in the prescribed form (F. 1) of cases fixed for hearing on any day, prepared in legible Hindi and signed by the Munsarim or Reader of the Court, shall be posted on the previous working day in some conspicuous place in every court house. In the preparation of such list, precedence shall be given to cases which are at hearing or have been already adjourned, and the order in which cases are entered shall not be departed from without the express order of the Presiding Judge of the Court.

In the fourth column, it shall be noted in regard to each case for what purpose it is to be laid before the Court: whether, for instance, for settlement of issues or for final disposal or for delivery of judgment.

14. *Time for presentation of applications.*—The District Judge shall fix a time, of which due notice shall be posted on the notice board, for his court, and for all courts subordinate to him, for the presentation of applications etc. to the Presiding officer of the court.

In the absence of any special notice, such applications etc., shall be presented at the commencement of the sitting of the Court at 11 a. m. (or 7 a. m. during summer hour-) and half an hour before the time for the rising of the court at 4-30 p.m. (21-30 a m. during summer hours), that is at 4 p m (or 11 a.m)

15. *Rubber stamps prohibited.*—The use of rubber stamps in judicial orders for signatures required to be made by any law or rules, is forbidden.

16. *Table of jurisdiction.*—In every court room there shall be hung up in a conspicuous place a notice setting forth, in tabular form, the territorial and pecuniary jurisdiction as notified by the State Government and the High Court from time to time of the Court. The Munsarim or Reader shall be responsible for the maintenance up-to-date of this table of jurisdiction.

17. *Civil Courts in Rajasthan*—The territorial limits and place or places of sitting of the permanent civil courts in the State are stated in Appendix A.

CHAPTER II

Suits and appeals in General

(A) Applications and Pleadings

18. *Paper for pleadings and petitions.*—All pleadings, applications, and petitions of whatsoever nature, and also powers of attorney and certificates of pleaders, filed in the course of civil judicial

proceedings, shall be written in a legible hand or type-written on petition paper:

Provided that when saleable forms have been prescribed by the High Court for any purpose, applications must be presented on such forms, if available:

Provided also that when petition paper is not available, courts may accept pleadings or petitions on stout durable paper of foolscap size.

Margin.—Only one side of the paper shall be used, and a quarter margin, together with at least one inch of space at the top and bottom of each sheet, shall be allowed.

19. *Heading of pleading and applications.*—In every pleading or petition, the names of parties shall bear consecutive numbers and a separate line shall be allotted to the name and description of each person.

20. *Person presenting application.*—Every application or petition shall at the time of presentation bear the name and also full signature or thumb-mark of the person actually presenting the same together with the date of presentation.

21. *Separate applications for distinct subject matters.*—Separate applications shall be made in regard to distinct subject matters.

No application containing argumentative matter, *e.g.*, quotations and discussions of the effect of certain sections of Acts, or of certain rulings of the High Court, shall be placed on record. They shall be returned to applicants without any order, except and endorsement that the application is returned under this rule.

22. *Persons from whom applications may be received.*—Except an application for a copy, no application or petition and no pleading required or authorised by law to be made by a party in a court, shall be received from any person other than the party himself, his pleader, or his recognized agent (See Order III, Rules 1 and 2).

Registered clerks of pleaders, as such, can present such applications as they may be authorised to present by the rules concerning such clerks.

Notes

This rule is mean to put into effect the provisions of Order 3 Rule, 1, C.P.C. which requires the presentation of applications or pleadings by the party himself or his pleader or his recognised agent. The recognised agents have been described in Order 3 rule, 2.

The registered clerks of pleaders have, however, been authorised to present some applications as referred to in the Chapter XXIII.

23. *How to deal with applications received by post.*—An application or petition, not being an application for a copy, received through post shall be returned to the sender with a note that it should be presented according to law; provided that necessary postage stamps have been received with such application or petition; otherwise it shall be filed in a file book.

24. *Valuation to be noted on petitions.*—In every petition on which an appealable order may be passed by the court, the petitioner shall give the value of the subject-matter affected by the petition.

25. *Time for presenting applications.*—Except as otherwise provided by these rules, applications and petitions which can be presented to the Munsarim or Reader of a court shall be received on any day other than an authorised holiday between 10 30 A.M. and 12-30 P.M. and during summer hours between 7 A.M. and 9 A.M. provided that an application or petition presented after such hour and before 4 30 P.M. or 12 noon, as the case may be, may be received on the ground, if any, of limitation or other urgent reason. Presiding Officers when accepting plaints or applications after court hours will note on such papers the time of their presentation.

26. *Order other than routine ones to be made in Judge's notes.*—No orders except routine orders are to be recorded on the applications themselves. All orders other than routine orders passed on applications are to be recorded in the Judge's notes of the suit or proceeding from the date of the first hearing to its termination.

27. *Receipt slip.*—A petitioner may, if he wishes, attach to, and present with his petition a receipt slip in the prescribed form (F.2). If this is done, the slip shall be signed in acknowledgment of the receipt of the petition and returned to the petitioner after the necessary entry has been made in column 4, care being taken that all space where any interpolation or insertion of words is possible is crossed with a line. The Presiding Officer of the court shall satisfy himself, from time to time, that receipt slips are returned to petitioners duly filled in without delay.

28. *Grant of certificate of Court fee and stamps in certain cases.*—In suits by or against Government, State Railways, Court of Wards, Municipal or other local bodies, trustees of a trust, if any party desires a certificate of court fee and stamps filed in court by it and furnishes particulars of the same, the court shall direct the Munsarim, Reader or any other official to give such certificate upon the particulars furnished after verification from the record.

29. *Duty of a Munsarim or Reader in respect of plaints.*—A Munsarim or Reader of a civil court appointed to receive plaints shall examine each plaint presented to him, and shall report thereon whether the provisions of the Code* and the Court Fees Act, have been observed, and whether the claim is within the jurisdiction of the court, constitutes a cause of action, and has been presented within the period prescribed for the institution of such a suit.

The Munsarim or Reader shall see that the actual date of the presentation of the plaint is entered upon the impressed stamp and adhesive label, if any, below the date of purchase endorsed on them.

*The term "Code" wherever used in the Rules means the Code of Civil Procedure, 1908.

On the back of all complaints the Munsarim or Reader shall note—

- (a) date of presentation of the complaint,
- (b) name of presenter,
- (c) classification of suit, and
- (d) Court-fee paid.

Notes.

A munsarim or reader of civil court is required to examine each complaint presented with a view to see whether the provisions of C. P. C., Court Fees Act and Limitation Act have been observed or not.

30. *Opposite party to be given copies of written statement etc.*—The party filing any of the following papers in a case, other than a case of a Small Causes Court nature, shall file a written acknowledgment from the opposite party or his counsel of having received a copy thereof, and also of the affidavit, if any, accompanying such paper, and, on default, the court shall cause a copy to be furnished immediately or served as soon as possible on such opposite party or his counsel at the cost of the party filing the paper:

- (i) a written statement,
- (ii) an objection under section 47 or under Order XXI, rule 58, of the Code,

Notes.

Section 47 C. P. C. deals with objections regarding questions relating to the execution, discharge or satisfaction of decree. O. 21. R. 58 C. P. C. deals with investigation of claims and objections to the attachment of any property attached in execution of decree.

- (iii) an application for the amendment of any pleading,

Notes.

The provisions regarding amendment of pleadings are contained in Order 1 Rule 10, Order 6 Rule 17 and Order 22 of the Code.

- (iv) an application for the appointment of a Receiver or a Commissioner,

Notes.

The provisions regarding appointment of a Commissioner or a Receiver are contained in Order 26 and Order 40 respectively.

- (v) an application for the amendment of a decree,

Notes.

Section 152 of C.P.C. provides for an application of amendment of decree.

- (vi) an application for remitting or setting aside an award and an objection to an award,

Notes.

The provisions regarding award are contained in the Arbitration Act, 1950.

- or (vii) an application for grant of a temporary injunction:

Provided that the Presiding Judge, if he is of opinion that a copy of any other paper should also be supplied to the opposite party, may pass such orders about the copy being furnished to the opposite party as he deems fit.

Notes.

Order 39 of C.P.C. deals with the grant of Temporary Injunctions.

31. *How to make amendment in pleadings* (i) An application for amendment made under Order I, rule 10, Order VI, rule 17 or Order XXII of the Code shall also contain all consequential amendments. The Presiding Officer shall reject the application if it is not in accordance with law or these rules.

Notes.

Order 1 Rule 10 deals with amendment of pleadings in consequence to striking out or addition of parties. Order 6 Rule 17 deals with amendments of pleadings which may be necessary for the purpose of determining the real question in controversy between the parties. Order 22 deals with amendments in the names of parties arising on death, marriage and insolvency.

(ii) When a party dies *pendente lite*, a note to that effect shall be added against the name of the party and necessary consequential amendment in the body of the petition or pleading shall also be made as prayed under suo-rule (i).

(iii) when the heirs of a deceased party are substituted for him, they shall be entered and numbered as follows:—

If the serial number of the deceased party was say "3", his heirs will be numbered as 3/1, 3/2, 3/3 and so on. If suppose party numbered as 3/1 dies, his heirs will be numbered as 3/1/1, 3/1/2, 3/1/3 and so on.

32. *Return of petitions and complaints.*—No application which has been filed in a court shall be returned for presentation to proper court.

33. *Return of Vakalatnama with plaint.*—When a plaint is returned to a pleader or recognised agent of the plaintiff, the authority executed in his favour shall also be returned to him.

When returning a plaint for presentation to proper court, a court may order the plaintiff to file a copy of the plaint to be put on record in place of the plaint.

(B) Documents.

34. *Translation to be filed with certain documents.*—Every document produced by a party or his witness not written in Hindi or in English shall be accompanied by a correct translation of the document into Hindi written in the Devanagari script. The translation shall bear a certificate of the party's lawyer to the effect that the translation is correct. If the party is not represented by a lawyer, the court shall have the translation certified by any person appointed by it in this behalf at the cost of the party concerned.

35. *Opposite party to record admission or denial on documents.*—A party desiring to produce any document in court shall, before producing it in court, obtain admission or denial recorded on the back of the document by the opposite party's lawyer. If the opposite party is not represented by a lawyer, the court shall get admission or denial recorded by the party in its presence and may, for the purpose, examine the party.

36. *List to accompany all documents whensoever filed.*—The list of documents required by Order VII rule 14, and Order XIII, rule 1, shall be in the prescribed form (F. 3) and no document, whensoever produced, shall be received unless accompanied by the said form duly filled up. In the case of a document produced by a witness or person summoned to produce a document, the form shall be supplied by the party at whose instance the document was produced. The list as well as the documents shall be immediately entered in the general index in the prescribed form (F. 4).

Notes.

Order 7 Rule 14 requires the plaintiff to produce the documents on which he sues or relies in the Court with the plaint. Order 13 Rule 1 requires the production of all documentary evidence at the first hearing. The rule 36 requires that all the documents so produced shall be accompanied by a list thereof.

37. *Statement about erasures and additions.*—Whenever any private document, other than a registered document or certified copy, containing erasures, additions or interlineations is produced by a party to a case, it shall be accompanied by a statement clearly describing each such erasure, addition or interlineation, and signed by such party. Reference to such statement shall be made in the list (F. 3) with which the paper is filed.

38. *Small documents and those of historic value.*—Small documents when filed in a court shall be filed pasted on a paper equal to the size of the record, and the margin of the paper should be stitched to the file so that no part of the document is concealed by the stitching. If a document contains writing both on the front and the back, it should be kept in a separate cover which should be stitched to the file at the proper place leaving the main document untouched.

Note:—Care should be exercised in dealing with documents of historic or antiquarian value, and every possible endeavour should be made to prevent their being defaced by endorsements, or exhibit marks or by having the seal of the court impressed on them. Instructions from higher authority should be sought, if necessary.

39. *Affidavit to accompany an application for production of public record.*—When a party requires the production of a public record, the application shall, unless the court otherwise directs, be accompanied by an affidavit showing how the party requiring the record has satisfied himself that it is material to the suit and why a certified copy of the document cannot be produced or will not serve the purpose.

40. *Documents for production of which sanction of head of department is necessary.*—When a court decides that in the interests of justice it is necessary that it should have before it a document which cannot be produced without the sanction of the head of the department concerned, it shall in its order asking for such document set out as clearly as possible; (a) the facts, for the proof of which the production of the document is sought; (b) the exact portion or

portitions of the document required as evidence of the facts sought to be proved. The court summoning the document shall fix a date for its production, which should not be less than three weeks from the date of issue of summons.

41. *Registers from Sub-Registrar's office.*—(1) A summons for the production of any register or book belonging to the office of a Sub-Registrar shall be addressed to the District Registrar and not direct to the Sub-Registrar.

(2) *Production of Police Diaries.*—A summons for the production of documents in the custody of the police should be addressed to the Superintendent of Police concerned, and not to the Inspector General.

(3) *Production Municipal and District Board Records.*—When duly authenticated and certified copies of documents in the possession of Municipal and District Boards are admissible in evidence, the courts shall not send for original records unless, after perusal of copies filed, the court is satisfied that the production of the original is absolutely necessary.

(4) *Post office records not to be unnecessarily disclosed.*—When any journal or other record of a post office is produced in court, the court shall not permit any portion of such journal or record to be disclosed, other than the portion or portions which seem to the court necessary for the determination of the case then before it.

42. *Settlement Records.*—When a court requires the production of any Settlement Record in which the settlement officer acted in a judicial capacity, it shall be summoned in the manner provided by Order XIII, rule 10. In other cases the procedure prescribed in Order XVI, rule 6 shall be followed.

The summons to produce such documents shall be issued to the Collector or the Settlement Officer, who has custody of the record, who may send the document by messenger or registered post.

Notes

Order 13 Rule 10 prescribes procedure for sending for the record from any other court. The settlement records are to be summoned in accordance with the provisions of Order 13 Rule 10. The procedure for sending documents in other cases is prescribed under Order 16 rule 6.

43. *Payment of postage fee etc.*—The payment of postage and registration fees, or of travelling and other expenses for messengers, incurred in the transmission of, or requisition for records, shall be paid ordinarily by the party at whose instance the expense is incurred.

44. *Covers of documents received by registered post to be retained.*—When a document of any kind connected with a judicial case is received under a registered cover, the cover shall not be destroyed, but shall be attached to the file of proceedings in the case to which the document refers.

45. *Documents produced how to be dealt with.*—All documents produced must be received by the court and must be dealt with in one or other of the following ways, viz.—

- (a) returned,
- (b) placed on the record, or
- (c) impounded.

46. The Court shall inspect and consider all documents as soon as possible after issues are framed and before evidence is produced, and shall -

(a) where they are held by the court under Order XIII, rule 3, to be irrelevant or otherwise inadmissible, forthwith reject them;

(b) where not rejected under Order XIII rule 3 and held to be relevant and admissible in evidence deal with them as follows:—

1. Documents which do not require proof e.g. public documents and documents admitted by the party against whom they are produced in evidence shall be admitted in evidence and marked as exhibits in the manner prescribed in Rule 50,

2. Documents which require proof by oral evidence shall be kept on the record pending proof. They shall be admitted in evidence and marked as exhibits in the manner prescribed in Rule 50 when evidence is tendered in proof of them. They shall be rejected at the close of the evidence if no evidence is tendered in proof of such documents.

Note:—The endorsement referred to in Order XIII, Rule 4 shall be made on the documents which are admitted in evidence. No document shall be marked as an exhibit unless it is admitted in evidence.

Notes

Order 13 Rule 4 requires the court to reject any document which it considers irrelevant or otherwise inadmissible, recording the reasons for such consideration. Order 13 Rule 4 of G.P.C. requires that,—(1) Subject to the provisions of the next following sub-rule, there shall be endorsed on every document which has been admitted in evidence in the suit the following particulars, namely:—

- (a) the number and title of the suit,
- (b) the name of the person producing the document,
- (c) the date on which it was produced, and
- (d) a statement of its having been so admitted;

and the endorsement shall be signed or initialled by the Judge.

(2) Where a document so admitted is an entry in a book, account or record, and copy thereof has been substituted for the original under the next following rule, the particulars aforesaid shall be on the copy and the endorsement thereon shall be signed or initialled by the Judge.

47. *Admission of genuineness not to be confused with admission of truth of contents.*—When a certified copy of any private document is produced in a court, inquiry shall be made from the opposite party whether he admits that it is a true and correct copy of the document which he also admits, or whether it is a true and correct copy of the document which he denies, or whether it is a true and correct copy of the document the genuineness of which he admits without admitting the truth of its contents, or whether he denies the correctness of the copy as well as of the document itself.

48. *Proper expression about admissions of documents.*—Admission of a document by a party shall be indicated by the

endorsement "Admitted by the plaintiff" or "Admitted by the defendant". Admission of a document in evidence by the court shall be indicated by the endorsement "Admitted in evidence". If any question is raised as to the correctness of a copy and the correctness of it is admitted, the endorsement shall be "Correctness of copy admitted". The use of the expression "Admitted as a copy" in endorsement on documents is prohibited.

49. *Endorsement on documents in suits compromised or dismissed for default.*—Documents filed in suits which are dismissed for default or compromised shall, before being dealt with in the manner provided in rules 52 and 53, be endorsed with the particulars mentioned in Order XIII, rule 4 (i).

50. *Marking of documents.*—(1) Documents produced by a plaintiff and duly admitted in evidence shall be marked with a number, and documents produced by a defendant shall be marked with a number and the letter A, or, where there are more than one set of defendants, by the letter A for the first set of defendants, by the letter B for the second and so on. Where a document is produced by order of the court and is not produced by any party, the serial number shall be prefaced by the words "Court Exhibit" or an abbreviation of the same.

(2) Where a document is produced by a witness at the instance of a party, the number of the witness shall be endorsed thereon, *e. g.* Ex. 1/P.W. 1 if it is produced by the plaintiff's first witness, and Ex. A1/ D.W. 1 if it is produced by the defendant's first witness.

(3) The party at whose instance a document is produced by a witness shall deposit the cost of the preparation of a certified copy of that document before it is placed on the record. The office shall then prepare a certified copy and keep it with the original document. If the witness wants to take back his document after evidence relating to the document has been led, it shall be returned to him, unless there are special reasons for keeping the original on the record:

Provided that a certified copy shall not be necessary where the document is written in a language other than Hindi or English, and a translation has been filed as prescribed by rule 34.

(4) Every exhibit-mark shall be initialled and dated by the Judge.

51. *Marking of documents of the same nature.*—Where a number of documents of the same nature are admitted, as for example, a series of receipts for rent, or a series of entries in the same account book, the whole series should bear one figure or capital letter or letters, a small figure or letter in brackets being added to distinguish each paper of the series.

52. *Return of certain documents.*—A document which is rejected as irrelevant or otherwise inadmissible under Order XIII,

rule 3, shall unless impounded under Order XIII, rule 8, be returned to the person producing it or to his pleader, and such person or pleader shall give a receipt for the same in column 7 of the list of documents filed. A pleader is bound to take back a document when ordered by the court to do so.

53. Retention of impounded and certain other documents.—

(1) Documents impounded shall be dealt with in accordance with Order XIII, rule 8, and the word "Impounded" should be noted in red ink across appropriate columns of the list of documents filed against the entries relating to such documents in the said list.

(2) Should either party or his pleader entitled to receive a document, under rules, be absent or for good cause unwilling to receive it, it shall be marked "not part of the record", a note of the same being made in appropriate column of the list of documents filed.

Notes.

Order 13 Rule 8 requires the court, if it sees sufficient cause, to impound any document or book produced before it in any suit.

54. Care of impounded documents.—(a) No document which the court has ordered to be impounded or which is required by law to be filed and preserved (for instance a will under sec. 294 of Act XXXIX of 1925) shall be allowed to pass out of the custody of the court, and no document produced for the purpose of comparison of signature, writing or seal shall be returned within the periods specified in Order XIII, rule 9 (1).

(b) With reference to Order XIII, rule 9 (1) (b) an interval of four months shall ordinarily be allowed to intervene from the date of decree before the documents whether original or copies, filed in a case are returned to the parties who produced them.

Notes.

Order 13 Rule 9 of C.P.C. requires that,—(1) Any person, whether a party to the suit or not desirous of receiving back any document produced by him in the suit and placed on the record shall, unless the document is impounded under rule 8, be entitled to receive back the same,—

(a) where the suit is one in which an appeal is not allowed, when the suit has been disposed of, and

(b) where the suit is one in which an appeal is allowed, when the Court is satisfied that the time for preferring an appeal has elapsed and that no appeal has been preferred or, if an appeal has been preferred, when the appeal has been disposed of :

Provided that a document may be returned at any time earlier than that prescribed by this rule if the person applying therefor delivers to the proper officer a certified copy to be substituted for the original and undertakes to produce the original if required to do so ;

Provided also that no document shall be returned which by force of the decree, has become wholly void or useless.

(2) On the return of a document admitted in evidence, a receipt shall be given by the person receiving it.

*55. Cost of proving documents.—*When a party has without good reason, refused to admit the genuineness of a document, the

court may order it to bear the costs incurred in proving it, irrespective of the result of the suit or proceeding.

56. *Return of documents.*—A general notice shall be posted in a conspicuous part of every court house, giving warning that all documents filed in any suit or proceeding which may legally be returned, must be withdrawn as soon as the decree or order made in the suit or proceeding has become final or after four months of the decree or order, whichever is longer, and that if they are not so withdrawn, they will remain at the risk of the persons concerned.

57. *Books of Business.*—If a document be an entry in a letter book, a shop book, or other account in current use or an entry in a public record, produced, from a public office or by a public officer, a copy of the entry, certified in the manner required by law, shall be substituted on the record before the book, account or record is returned, and the necessary endorsement should be made thereon, as required by Order XIII, rule 5.

Notes.

Order 13 Rule 5 requires that,—(1) Save in so far as otherwise provided by the Bankers' Books Evidence Act XVIII of 1891, where a document admitted in evidence in the suit is an entry in a letter-book or a shop-book or other account in current use, the party on whose behalf the book or account is produced may furnish a copy of the entry.

(2) Where such a document is an entry in a public record produced from a public office or by a public officer, or an entry in a book or account belonging to a person other than a party on whose behalf the book or account is produced, the Court may require a copy of the entry to be furnished—

(a) where the record, book or account is produced on behalf of a party, then by that party, or

(b) where the record, book or account is produced in obedience to an order of the Court acting of its own motion, then by either or any party.

(3) Where a copy of an entry is furnished under the foregoing provisions of this rule, the court shall, after causing the copy to be examined, compared and certified in manner mentioned in rule 17 of Order VII, mark the entry and cause the book, account or record in which it occurs to be returned to the person producing it.

(C) *Commissions.*

Notes.

The provisions for commissions are contained in Order 26 of C. P. C.

58. *Commissions to be issued to whom.*—(1) A commission for the examination of any person including one for the administration of a special oath shall ordinarily be issued to a legal practitioner practising either before the court issuing the commission or before the court within whose jurisdiction the witness resides. Such commissions may, if it is considered desirable, also be issued to a court (not being a High Court) within the local limits of whose jurisdiction the witness resides.

(2) A commission for making a local investigation necessitating the taking of evidence shall ordinarily be issued to a legal practitioner, and in cases requiring some special and technical knowledge, to a person possessing the necessary technical and special knowledge.

(3) A commission to examine accounts may be issued to any person (including a legal practitioner) who is a competent accountant.

59. *List of Commissioners.*—(1) Every District Judge shall maintain a separate list of legal practitioners for each place where any civil court or courts are located authorised to execute commissions. The lists shall be prepared by the District Judge in consultation with the Judicial Officers of such places. The list may be sub-divided into three parts, namely, for accounts, for survey, and for all other purposes. The number of Commissioners in each part shall be fixed by the District Judge.

Care shall be taken to include in the list of Commissioners for survey and accounts only those who are conversant with such work.

The list of Commissioners in the prescribed form (Reg. 3) shall be maintained in the office of the District Judge at the headquarters and of the Senior most Judicial Officer at other places, and all commissions issued shall be entered in it. Commissions shall be issued in strict order of rotation in respect of each part unless there are reasons to the contrary. No commission shall be issued to any person whose name is not entered in these lists except for special reasons. The lists shall be revised once a year.

(2) No commission shall issue to a Collector or to any officer subordinate to a Collector unless the consent of the Collector has been obtained previously. Munsims, Nazirs, Copyists, Ahlmads, Pleaders' clerks and petition-writers shall not be employed as Commissioners.

(3) The court shall ordinarily require the party asking for the issue of a commission to deposit a fee (to be fixed by the court) before the issue of the commission. The fee shall be fixed with due regard to the circumstances of the case and the status of the Commissioner.

In the case of protracted investigation, which extends beyond the time originally calculated, the court may suspend the commission until a further sum sufficient to cover the additional expense is paid into court.

(4) For the remuneration of a legal practitioner to whom a commission to examine a witness is issued, the Court should require the party applying to pay a fee which shall ordinarily be twelve rupees for the first witness and eight rupees for each subsequent witness to be examined, if the court is that of Small Causes or a Muusif; and Rs. 20 for the first witness and Rs. 12 for each subsequent witness if the court is that of a Civil Judge or District Judge. If payment of higher fees than the above is necessary, the reasons therefor shall be recorded by the Judge.

(5) Where a commission cannot be executed for reasons beyond the control of the commissioner, the court may order payment of such fees as may appear to be reasonable, with due regard to the time spent by the commissioner.

60. *Prohibition of commission fees to Government officers.*—The acceptance by Judicial officers or ministerial officers of courts of fees for executing commissions is prohibited.

61. *Particulars to be given in the order for local investigation.*—When issuing a commission for making a local investigation under Order XXVI, rule 9, the court shall define the points on which the Commissioner has to report. No point which can conveniently and ought to be substantiated by the parties by evidence at the trial shall be referred to the Commissioner.

Notes

Order 26 Rule 9 requires the Court to issue a commission when,—In any suit in which the Court deems a local investigation to be requisite or proper for the purpose of elucidating any matter in dispute, or of ascertaining the market-value of any property, or the amount of any mesne profits or damages or annual net profits, the Court may issue a commission to such person as it thinks fit directing him to make such investigation and to report thereon to the Court :

Provided that, where the State Government has made rules as to the persons to whom such commission shall be issued, the Court shall be bound by such rules.

62. *Time for executing commissions.*—A reasonable time shall be fixed for execution of every commission and the court shall see that it is executed within such time unless the court for sufficient reason extends the time.

63. *Payment in advance of expenses for issue of commission.*—(1) Whenever a commission is issued to any court, the court issuing the same shall require the party applying for issue to pay into court before issue. —

(a) where such witness is to be examined by a court, the travelling and other expenses likely to be incurred by the witness;

(b) in other cases such additional sum also as it may consider necessary for the employment of a legal practitioner by the court to which the commission is issued.

(2) The court issuing the commission may require the party concerned to deposit such further amount as the court to which the commission is sent may lawfully require.

(3) Moneys thus deposited shall be entered in the Register of Petty Receipts and Repayments.

64. *Commissioner's responsibilities.*—A Commissioner shall, in his report always give reasons or data on which he bases his opinion.

A Commissioner shall not issue copy of any map or report prepared by him or of evidence taken by him or of any portion thereof, to any party.

65. *Local inspections by presiding officers.*—When a Presiding Officer of a court considers it necessary to make a local inspection, it shall invariably during the inspection or as soon as is convenient thereafter, record a note to be placed on the file, the purpose of the

inspection and all facts perceived or impressions received in the course thereof which are likely to affect its decision in the case. This note shall as far as possible be prepared in the presence of parties or their counsel. Where this is not possible, the parties or their counsel shall be informed of it.

Where a Presiding Officer decides to make a local inspection on the request of a party or both the parties, he should require the party or parties concerned to deposit in court an amount sufficient to cover his travelling allowance according to the rules. Such amount shall be entered in the Register of Petty Receipts and Repayments of the court and the Presiding Officer shall be entitled to draw his travelling allowance admissible under the rules after having his claim passed by the District Judge. But when the District Judge makes such inspection, it shall not be necessary to have his bill passed by any authority and he may himself draw the amount.

66. *Commissions, letters of request etc. to foreign Courts.*—Letters of request, commissions and other judicial documents meant for foreign or commonwealth countries shall be sent through the High Court and the Ministry of External Affairs and Commonwealth Relations, Government of India, New Delhi.

When issuing such commissions the court shall have such funds deposited by the party at whose instance the commission is issued, as may, in the discretion of the court, be considered sufficient to defray the expenses likely to be incurred by the executing court. An undertaking should also be taken from the party concerned to pay such further sum as may be wanted by the executing court.

67. *Procedure regarding letters of request for the examination of witnesses in the United Kingdom.*—(a) When a letter of request is issued for the examination of a witness in United Kingdom, costs have to be incurred in stamps and fees for the execution of the commission amounting to about £ 25 if it is non-contentious. The party concerned in such cases should, therefore, be made to deposit a sum of £ 25 Sterling in favour of the High Commissioner of India in the United Kingdom. A draft for the sum deposited should be sent to the High Court for being forwarded to the Ministry of External Affairs along with documents. An undertaking should also be taken from the party concerned to pay any excess over £ 25 if the expenses exceed £ 25.

(b) The Letter of Request and interrogatories should be neatly prepared on good paper in a form presentable to the High Court in England.

(c) All these documents should be sent in duplicate in a sealed cover.

(D) Affidavit.

68. *Persons to verify affidavit.*—(a) Munsarims of all Civil Courts may verify an affidavit.

(b) A court-fee label of -/8/- shall be affixed to each affidavit verified before Munsarims for filing in the Courts of Munsif and Small Causes, and Re. 1 to each affidavit verified before Munsarims for filing in all other courts.

69. *Power of District Judge to appoint Lawyers to verify affidavits.*—(1) A District Judge may appoint legal practitioners to administer oaths to declarants.

(2) The fee chargeable by the oath commissioners so appointed shall be -/8/- for each affidavit, for the Courts of Munsif, and Small Causes, and Re. 1 for each affidavit for all other courts. Such fees paid to an Oath Commissioner shall be taxed in the decree.

(3) Oath Commissioners shall maintain a register or registers which shall contain the following particulars with respect to each affidavit sworn before them, namely :—

- (a) serial number;
- (b) date and time of making the affidavit;
- (c) particulars of the case to which the affidavit relates;
- (d) full particulars of the person making the affidavit;
- (e) particulars of the person identifying him.
- (f) fee paid;
- (g) name of the Oath Commissioner before whom the affidavit is sworn; and
- (h) signature of the Oath Commissioner and remarks, if any.

The registers shall be inspected periodically by the Presiding Officers of the courts concerned.

(4) Every person swearing an affidavit shall, if not personally known to the person before whom the affidavit is sworn, be identified before that person by some one known to him; and in such case the person before whom the affidavit is made shall state at the foot of the affidavit, the name, address and description of the person by whom such identification was made.

Such identification may be made by a person :—

- (a) personally acquainted with the person to be identified; or
- (b) who is reasonably satisfied as to his identity:

Provided that in the latter case the person so identifying shall sign at the foot of the affidavit a declaration in the following form, after there has been affixed to such declaration in his presence the signature or thumb impression of the person so identified, namely :—

*Form of Declaration.*⁵

I (name, description and address) declare that I am satisfied on the grounds stated below that the person making this affidavit and alleging himself to be A. B. is that person.

Grounds

(5) Oath Commissioners shall at their own expense provide themselves with an official seal to be made under the direction of

the Court which appointed them as Commissioners. This should indicate the name of the Court to which the Commissioner is attached and shall provide space for recording the serial number and date of the entry relating to the affidavit in the Commissioner's register.

This seal shall be surrendered to the Court when the person having such seal ceases to hold the office of an Oath Commissioner.

(E) *Adjournments.*

70. *Instructions for dealing with applications for adjournments.*—In dealing with applications for adjournments, court shall be guided by the following instructions:—

(1) A date for hearing, once fixed, shall, so far as practicable, be strictly adhered to, and no adjournment granted except for good cause. In no case, when one of the parties is ready to proceed, should an adjournment be granted at the request of the opposite party, except on condition that a sum, commensurate with the costs* which in the opinion of the court, the party ready to proceed has incurred on the date of the adjournment, be paid as and when directed by the court to the party ready to proceed. The amount of costs for witnesses so paid shall not be taxed in the decree. In all cases when an adjournment is granted, the Judge shall record his reasons for granting the same.

(2) The fact that a party is, through carelessness or negligence not ready to go on with a suit, is not in itself good cause for adjournment.

(3) The rules regarding the filing of documents and exhibits should be strictly observed, and parties have no right to ask for adjournments in order to obtain copies of documents, if by the exercise of diligence they could have procured them in time.

(4) A hearing should not be adjourned to call for a written report from an officer of the court, unless such report be absolutely necessary and cannot be obtained the same day.

71. *Priority to cases to which soldiers, sailors or airmen are parties.*—(1) No case in which witnesses are present shall be allowed to stand out of its place in the list except for special reasons to be recorded by the Judge under his hand:

Provided that every court shall bring to a hearing without regard to the order in which they may have been filed, all suits in which an officer, soldier, sailor or airman or person who may have obtained leave of absence from the Army, Navy or Air Force, may be a party, and shall decide such suits as speedily as may be convenient and consistent with the due administration of justice.

(2) *Priority to cases which are holding up other cases.*—Suits, appeals or applications for the decision of which other cases have been held up shall be given priority, and they shall on no account be adjourned except for good reasons.

*(N. B. "Costs" include necessary lawyer's fees).

72. *Priority to cases (uncontested).*—A Judge shall before beginning his work for the day go through the cause-list and ordinarily dispose of all uncontested work first, and then begin the contested work.

73. *Fixing of Dates.*—The first date of hearing in a case shall not ordinarily be fixed more than two months ahead. But in a case in which the Government, the court of wards, or any Railway Administration is a party, the date for the first hearing shall be fixed for a day not less than two months after the institution of the suit; and if necessary, the date of hearing may be changed if counsel can show that instructions have not been received or that sufficient time for instructions and necessary inquiries has not been allowed.

Before fixing a date for final hearing, the Judge shall, after consulting pleaders for both sides, if necessary, make a reasonable estimate as to the time required for the disposal of each particular case.

74. *Party's fault in non-service of summons on witnesses.*—(1) In all cases the court shall require a party applying for an adjournment, on the ground that a summons has not been duly served to show that he applied, where it was possible to so apply, for the issue of the summons in time to enable the service to be effected and that he performed every other act required for the issue and service thereof.

(2) When a date more than one month ahead is fixed for the examination of witnesses, the parties shall make repeated efforts to procure service of summonses on their witnesses. It shall be their duty in the absence of any special order of the court to apply for the issue of summonses within ten days of the order fixing the date for examination of witnesses and to make subsequent applications within seven days of the return to the court of a summons which has not been duly served.

(3) The Nazir shall contact the party applying for the process, his authorised agent or vakil, and inform him of the fact that the process has been returned un-served. The signature of the party, agent or vakil, shall be obtained in such cases. Regarding cases, in which the party, agent or vakil cannot be conveniently contacted, a list of processes returned un-served shall be notified from time to time on the notice board of the court.

(4) Where a summons has been returned unserved by reason of a wrong or insufficient address of the witness, the court may, before adjourning the case for issue of a fresh summons, require the party applying for the same to satisfy the court, by affidavit or otherwise, that such party was not in a position to know the correct address at the date when he applied for issue of the former summons, and also that the evidence of the witness is really material.

(F) Hearing of the Suit.

75. *Judge's Notes.*—(1) The Judge's notes are intended to be a record of the progress of the suit or proceeding from the date of the first hearing of the suit or proceeding and to include every material order passed therein on any interlocutory matter, and shall also contain the issues framed. These notes shall be legible and complete.

(2) The Judge's notes shall show how documents tendered in evidence have been dealt with, the admissions or denial thereof by the opposite party, whether such admissions or denials have been endorsed thereon by the said party, and, if any question of relevancy raised, the decision thereon.

76. *Evidence common to two cases.*—Whenever by consent of parties evidence given in one case is admitted by a Civil Court as evidence in another case, separate proceedings stating the fact shall be recorded, signed by the Judge and placed on the records of both cases.

77. *Witnesses in attendance to be examined.*—On the day fixed for recording the evidence of witnesses, the evidence of all witnesses in attendance shall, so far as is possible, be recorded. That some witnesses have not attended is no reason for not recording the evidence of those in attendance. If the examination of all the witnesses is not concluded on the same day, it shall be proceeded with, if possible, from day to day.

78. *Judges duty during the recording of evidence.*—The memorandum required by Order XVIII, rule 8, shall state clearly what each witness deposes as to the points at issue, and shall be recorded as the examination of each witness proceeds.

Notes

Memorandum of evidence is required to be recorded under Order 18 Rule 8 which provides that,—Where the evidence is not taken down in writing by the Judge he shall be bound, as the examination of each witness proceeds, to make a memorandum of the substance of what each witness deposes and such memorandum shall be written and signed by the Judge and shall form part of the record.

79. *Record of parties statements.*—Statements of parties or their counsel under Order X, rules 1, 2, or of a similar nature shall be recorded either on the Judge's notes or on a full sheet of foolscap paper and shall be signed by the person making it.

Notes

The rules 1 and 2 of Order 10 requiring the recording of Statements of parties or their counsels read as under:—

(1) At the first hearing of the suit the Court shall ascertain from each party or his pleader whether he admits or denies such allegations of fact as are made in the plaint or written statement (if any) of the opposite party, and as are not expressly or by necessary implication admitted or denied by the party against whom they are made. The Court shall record such admissions and denials.

(2) At the first hearing of the suit, or at any subsequent hearing, any party appearing in person or present in Court, or any person able to answer any material

questions relating to the suit by whom such party or his pleader is accompanied, may be examined orally by the Court; and the Court may, if it thinks fit, put in the course of such examination questions suggested by either party.

(G) *Judgment and decree.*

80. *Mode of recording judgment.*—To each judgment shall be prefixed a heading specifying the number of the case and the names of all the parties.

No court shall write a judgment or final order on the order sheet, or any paper already on the file, such as pleadings, applications, objections, etc.

A judgment may be written or type-written by the judge, or may be recorded at his dictation, but every page of the record of a judgment, not in the handwriting of the Judge, shall be attested by the Judge's signatures.

81. *Provision of C.P.C. to be given in certain judgments.*—When complaints are rejected or returned, and in cases disposed of without decree, as also in cases in which decrees are passed without contest, the Judge shall put on record the section, or order and rule, of the Code under which the judgment or order is passed.

82. *Reference in judgments to parties and witnesses.*—(1) A reference to a party or a witness shall be by name and number, and not merely by number like P. W. 1 or Defdt 1.

(2) Judgments shall contain words in full and not in abbreviated forms except where the abbreviations are well recognised and are in common use, such as a. m., p. m., e. g.

83. *Judges may take records out of courts.*—Presiding Officers of Civil Courts may take records for perusal or writing judgment to their residence but only under proper entries made in a Register kept for the purpose by the Reader or other clerk having custody of the record at the time. Records thus taken out of office must be returned as soon as possible.

84. *Judgments not to be delayed.*—(1) A Judgment shall be delivered within a reasonable time after the close of the case which shall not ordinarily exceed one month.

(2) *Completed cases to be decided by officer before proceeding on transfer.*—When a Judge is transferred, he shall ordinarily deliver judgments in all cases complete in other respects. If necessary, he shall take the file to his new Station and there finish the judgment which shall be pronounced by his successor. If owing to the bulk or importance of a record it be not considered desirable that he should take it with him, the judgment shall be written before the transfer takes place.

85. *Decree to be self contained.*—Every decree and order as defined in section 2 of the Code shall be drawn up in such a manner that in order to the understanding and execution thereof, it may not be necessary to refer to any other document or paper whatever, which is not made part of the decree or order.

Prescribed forms of decrees.—In all cases in which the form of a decree has been prescribed or indicated by statute, the decree shall be prepared, as far as possible, in the form so prescribed.

86. *Taxing of diet money of witnesses.*—In taxing costs the diet money of only such witnesses as are actually examined shall be included unless the court directs other-wise.

87. *Drawing up of decree.*—(1) The decree or formal order shall be drawn up ordinarily within three days of the date of judgment and shall bear that date. After the decree has been examined, it shall be signed by the Judge and the date of such signature entered by him immediately beneath the signature.

(2) *Contents of decree (original).*—The Judge shall see that the decree or formal order drawn up specifies clearly the relief granted or other determination of the case and contains definite particulars of the claim.

88. *Contents of appellate decree.*—When an appellate court modifies or reverses the decree of the trial court, the appellate decree shall specify the relief actually granted as the result of such modification or reversal. The Judge shall satisfy himself before signing the decree that the relief thus specified has been embodied in the decree.

89. *A copy of appellate judgment to be sent to the officer against whose order or decree the appeal was preferred.*—A copy of an appellate judgment certified to the lower courts shall, after noting the result in the appropriate register, be put up for perusal to the officer against whose order or decree the appeal was preferred. Such officer shall return the copy within a fortnight.

90. *Information to departmental heads when necessary.*—A Judge shall, after delivery of his judgment in any suit or proceeding, inform the head of the Department concerned of any circumstances personally affecting any public servant in that case.

CHAPTER III

A—Summons and other processes (General).

91. *Parties to file summons.*—(a) A party shall file with the plaint, memorandum of appeal, or an application requiring the issue of a ^{Summons}_{Notice}, a printed ^{Summons}_{Notice} form* in duplicate, in the Nagri character, duly filled up except in respect of the date of ^{appearance}_{hearing} and date of issue of the ^{summons}_{notice}. The court may also direct a party in any proceeding to file a summons or notice filled up as above to be served on the opposite party :

Provided that the Presiding Officer may in his discretion direct that such forms in general or any particular such form be filled up entirely in the office of the court.

*Note—These can be had on payment of a fixed price from licensed stamp vendors.

(b) *Date to be filled by Office.*—In summonses and notices the date of appearance and the date of issue shall be filled up by the hearing Office of the court and the Presiding Officer or the Munsarim or Reader, to whom such authority may have been delegated, shall sign the summons and also put the date of signature.
notice

(c) *Form to be legibly written & signed by parties.*—The forms shall not be accepted unless filled up in a bold, clear and legible handwriting. The parties, their recognized agents or pleaders, shall sign the form in the left bottom corner, and will be responsible for the accuracy of the information entered in the forms.

(d) *Process to contain name of issuing court.*—In every process or order, issued or made by a Judicial Officer, the names of the court and the officer issuing or making it, and of the place and the district where the court is located, shall be legible written at the top.

In all cases all Judicial Officers and Munsarims shall sign their names distinctly and legibly. No such signature shall be made by means of a stamp.

(e) *Form of Process.*—Where there are printed forms available for any process, such forms shall invariably be used. Where there is a prescribed form but no printed copies are available a process shall be written in the prescribed form. In cases where there is no prescribed form a form prescribed for analogous cases, if possible, shall be modified to meet the requirements of the particular case.

(f) *When translation to accompany process sent to other courts.*—Where a process is sent to the court of a State where Hindi language is not in ordinary official use, a translation, certified

by the transmitting court to be correct, into English may be substituted.

(g) *Cost of printed saleable forms to be taxed in decrees.*—

Cost of printed saleable forms filed by the parties shall be taxed in all decrees.

92. *Contents of process.*—Before issuing a process, the issuing officer shall satisfy himself that such description of the person for whom the process is intended or in respect of whom or whose person or property it is issued, is entered therein as will enable the process server without risk of mistake to identify such person or property. The name, father's name, occupation, district, Mohalla (if any) village or town shall be set forth in the process. Where such description does not appear in the application of the person moving the court to issue the process or in the record, the orders of the court shall forthwith be taken by the issuing officer.

93: *Time to be allowed in processes to Government Departments.*—In all processes issued in any suit of proceeding to which the Government, Court of Wards or a Railway Administration be a party, care shall be taken, that a reasonable time is allowed for communication between the authorities competent to give instructions to the counsel or agent authorized to represent them in court.

94. *Payment of process fees and other expenses.*—Except in so far as is otherwise provided by any rule or specially ordered by a court, no process shall be drawn up or issued for service or execution, as the case may be, until the fee chargeable under these rules has been paid in court-fee stamps.

95. *Process fees for notice in execution cases*—(1) The process-fee for issue of notice either under rule 16 or rule 22 of Order XXI shall be paid when the application for execution is presented. After service of notice, if the court directs execution to issue, the fee for attachment or arrest, as the case may be, shall be paid promptly and if the judgment debtor's property is, after the attachment, ordered to be sold, the necessary sale fees shall be deposited.

(2) *Process fee deposited in previous execution not to be used in later execution*.—When an application for execution of a decree has been disposed of and a fresh application is made, the process-fee deposited in connection with the previous execution and not spent shall not be utilized for issue of a fresh process.

96. *Postage for sending processes*.—No charge for postage for transmission of processes from one court to another shall be levied from the parties, postal charges being paid by means of service postage stamps by the court forwarding or making return.

97. (1) *Endorsement on Processes sent for service to other courts*.—When a court sends a process for service or execution to any court beyond its jurisdiction, it shall endorse on the process a certificate that the fee chargeable under the rules has been levied.

(2) When processes or summons (both in civil and Criminal cases) are issued in a language other than the official language of the receiving court, such processes or summons should be accompanied by an authorised English translation.

(3) The report from the receiving court to the originating court regarding the service or non-service of the processes or summons

should similarly be accompanied by an authorised English translation of the report.

98 *Service of processes from other courts.*—When a process bearing a certificate that the proper fee has been levied, is received by a court from another court in India, the court shall cause it to be served without further charge.

99. *Particulars in record of court returning summonses.*—The court to which the summons has been sent under Order V rule 21, shall re-transmit it to the court by which it was issued together with—

- (1) the Nazir's return and the affidavit or examination on oath of the serving officer;
- (2) the record of further inquiry, if any, by such court;
- (3) where the service has been effected by affixation under Order V, rule 17, a declaration by such court whether the service is sufficient or not.

Rule 684-A of the Civil Rules and Orders of the Calcutta High Court.—

"In the case of all warrants or other processes which are transmitted for execution or service to the Court of Small Causes, Calcutta, conveyance charges at the rate of Rs. 1/8/- per warrant and annas 4 per copy of summons or other process shall be realised and paid in Court-fee stamps in advance, in addition to the fees payable under the preceding rules, and before warrants or other processes are so transmitted for execution or service, a certificate of realisation of the charges shall be endorsed thereon by the issuing Court."

100. *Processes for service by foreign countries.*—A process meant for service in foreign or Commonwealth countries shall be sent through the High Court to the Ministry of External Affairs and Commonwealth Relations, Government of India.

101. *Directions for processes to be sent to foreign courts.*—The following directions shall be carefully complied with when any processes are to be issued for service in foreign countries (i. e. a state or Country outside India):—

- (a) They shall be drawn up in proper form and type-written. Where printed forms are not used, they shall be written on good durable paper.
- (b) They shall be written in English and shall be legible. Such summonses etc., shall not be signed by the Munsarim but by the Presiding Officer of the court issuing them, and he shall satisfy himself that the documents are correctly addressed and properly sealed. This matter shall not be left to the parties and the Munsarims.
- (c) The Names and addresses of the individuals upon whom a process is to be served shall also be stated in the forwarding letter accompanying the process.
- (d) All documents not in English shall be accompanied by their translation in English and in addition where the person upon whom the service is desired is not a British subject, by a translation into the language of the country concerned.
- (e) The returnable date to be specified in the documents shall be so fixed as to allow sufficient time for execution and return of the documents to India before the date fixed for the next hearing of the suit. In no case shall the returnable date to be not less than six months after the date on which the documents are finally despatched to the High Court.

102. *Deposit of expenses in summons to be sent to foreign countries.*—(1) Where a process is issued to any court outside India, the court issuing the process shall require the party at whose instance the process is issued to pay in cash (and not in court-fee stamps), such fee for service as is required by the court to which the process is to be sent, and shall transmit the same to such Court, together with, in the case of summons to a witness, reasonable travelling and other expenses.

(2) A process issued by any such court shall only be served upon receipt of the process-fee chargeable, under rule 306 and of the expenses payable to the witness under Order XVI, rule 2. The process-fee thus received shall be expended in the purchase of court-fee stamps to be affixed to the process:

B. Process to soldiers and public officers.

103. *Summons to soldiers, Sailors and airmen.*—A summons to a soldier, sailor or airman, as defendant or as witness, shall be sent for service to his Commanding Officer. In such cases, sufficient time shall be given to admit of arrangements being made for the relief of the person summoned.

104. *Summons to public Officers.*—A ^{summons}_{notice} to a public Officer as defendant or as witness shall ordinarily be sent for service to the head of the office in which he is employed.

105. *Intimation to head of Office when Summons sent to Public servant.*—In every case where a court sees fit to issue a summons direct to any public officer as a witness, simultaneously with the issue of the summons, notice in the prescribed form (F. 5) shall be sent to the head of the office in which the person summoned is employed, in order that arrangements may be made for the performance of the duties of such person.

106. *Intimation to head of office when summons sent to public Officer.*—Where a public officer or soldier, sailor or airman has been summoned under Order V, rule 3, to appear in person through the head of the Office or the Commanding Officer, in the forwarding letter in the prescribed form (F. 6) or in a note on the summons, it shall be stated that the summons should be regarded by such head of the Office or Commanding Officer also as notice to make arrangements for the performance of the duties of such public officer or soldier, sailor or airman, during his absence.

107. *Public Officer summoned for personal appearance.*—Neither of the preceding two rules shall apply where an officer or a soldier, sailor or airman in the Military, Naval or Air Forces of the Union of India or a public Officer is summoned as a defendant under Order V, rule 1. In such cases he shall make his own arrangements if he wishes to appear in court in person.

108. *Sufficient notice to be given for enforcement of personal attendance of a public officer.*—Before the personal attendance of an officer holding a responsible post is enforced, the Presiding Judge shall satisfy himself that his attendance is necessary. If such officer is summoned away from his district, sufficient notice shall be given to him and to his immediate superior to enable arrangements to be made for the discharge of his duties in his absence.

109. *Warrant for arrest of public Servants or Railway servants.*—(a) No warrant of arrest shall ordinarily be executed against any Government servant until notice in the prescribed form (F. 7) of the intended arrest has been given to the Head of his Office.

(b) No warrant of arrest shall be executed against any railway servant or any person working on a railway in the service of a contractor till notice of the intended arrest has been given to the proper officer of the railway or to the contractor or his representative.

C. Service of Processes

110. *Establishments of process servers.*—There shall be one general establishment of peons under the immediate direction of the Nazir in-charge for the service of processes issued by all courts for service within the local jurisdiction of the courts of Munsifs located at the same station.

Note:—The court of 'Munsif' here means the court of the lowest jurisdiction for any area.

111. *Number of processes to be served annually by a process server.*—Subject to any orders of the High Court, the normal establishment of peons shall be at the rate of one peon for an annual average of 600 processes issued. An emergent process or a day occupied by a peon on duty other than of process serving shall be reckoned as equal to three processes.

112. *Process servers to be properly dressed.*—It shall be the duty of the Nazir in-charge to see that the process servers are respectably dressed and wear their badges-belts and satchels.

113. *Processes to be delivered to whom for Service.*—Every process issued or received by a court for service within the areas covered by the process serving organisation at the station where such court is located shall be delivered to the Nazir in-charge for service.

114. *The Nazir to be deemed the serving officer of the Court Sending the process.*—The Nazir to whom the process is sent under the preceding rule shall be deemed the serving officer of the court from which he receives the process, and shall forward direct to such court, in the case of a summons, the return prescribed by Order V, rule 18, and, in the case of a warrant for arrest, the judgment debtor, if arrested, and any decretal money received from the judgment debtor.

Note:—(A Nazir may serve a process himself but ordinarily should get processes served by Processes servers.)

115. *Processes for serving within outlying Munsifi.*—Where any process is issued for service outside the area covered by the process serving organisation at the station where the court issuing the process is located, it shall be sent to the Judge or Munsif concerned:

Provided that, if the process is for service within the local jurisdiction of the court issuing it,

- (a) warrants of arrest,
- (b) urgent processes,
- (c) any other process which, in the particular case, it is advisable to serve or execute by a headquarters peon may be delivered to the Nazir in-charge at headquarter for Service by a headquarters peon.

116. *Nazir's list of inhabited places.*—Every Nazir in-charge shall maintain for the jurisdiction for which he is the serving officer

- (a) a list of all inhabited places within a five mile radius of his office;
- (b) a list of all inhabited places outside such five mile radius;
- [An "inhabited place" for the purpose of this rule means a place containing inhabitants and having a distinctive name.]
- (c) a map of the area in the territorial jurisdiction of the court of which he is Nazir; and
- (d) a map showing the beats fixed by the Nazir for process servers under his control.

117. *Beats of area outside five mile radius.*—(1) The Nazir in-charge shall divide the area outside the five-mile radius into beats, shall make the best beats, and shall make the best arrangement possible for the prompt service of processes in each beat.

- (2) The Nazir in-charge shall prepare a statement showing—
 - (i) the number of the beats,
 - (ii) the names of the Tehsil and villages included in the beat,
 - (iii) the sday or days of the week on which processes are issued in the beats, and
 - (iv) the number of process servers posted to each beat.

The allotment of process servers to the various beats shall be done by the Munsif or Judge in-charge every year but for special reasons a process-server may be transferred from one beat to another earlier also.

A copy of such statement after it has been approved by the District Judge shall be supplied to each court and kept in the court-room with a view to dates being fixed in accordance therewith.

(3) *Processes, almirah & distribution of processes.*—In the office of the Nazir in-charge, an almirah shall be divided into as many (or more) pigeon-holes as there are beats, with spare holes for urgent processes *etc.*, and each process as soon as it is received shall be placed in its appropriate pigeon-hole. The processes shall issue on the days fixed and on other days also if so ordered by the Officer in-charge of the Nazarat for any particular reason.

118. *Issue of Emergent processes.*—Emergent processes shall be issued for service on the day they are received by the serving officer or on the next day.

119. *Priority to process servers with long stay.*—In distributing processes to the process servers, priority shall ordinarily be given to the process-server or process-servers who have longest been at head-quarters.

120. *Processes from foreign courts.*—A process received for service from foreign courts shall be shown in red ink in the register of processes, and the Nazir in-charge shall place the register once a week before the Munsarim of the District Judge's court or the Mun-

sarim or Reader of his court, as the case may be, who shall mark the last entry in the register and put his initials thereto indicating that he has checked all the entries and issued necessary orders for obviating delay.

121. *Attendance of process servers.*—An attendance register of process servers shall be kept and the roll shall be called every morning at 10, or during summer hours, at 7-0.

Diaries of process servers.—Every process server shall keep a diary, containing a copy of this rule on the first page, in the prescribed form (Reg. 4) wherein shall be recorded day by day in column 2—

The time, period, and purpose of his attendance, in the Nazir's office or in court, the duties performed, places visited by him together with the time spent therein, and stopping place for the night when away on duty from his headquarters; and in column 3 the signature of the Nazir of a court, or of the patwari, zamindar or other respectable person of the places visited, as the case may be, in attestation of the contents of column 2.

122. *Service by special messenger.*—A process may be executed by a special messenger,

(1) in the case of a warrant for the arrest of a person.

(2) *Emergent service fee.*—in any other case in which a court either *suomotu* or otherwise, records an order that, for the convenience of the parties or for some other reason, it is expedient that such process shall be executed by a special messenger. A special fee shall be payable for such "emergent service". The court shall, at the time of passing the order, declare by whom the fee shall be paid and whether it shall be included in the costs of the suit or be charged to a particular party.

123. *Tonga hire for emergent service.*—In addition to the special fee payable for an emergent process, the court may direct payment by the party concerned of requisite railway fare, tonga hire, or any other incidental charges.

124. *Prompt service of processes.*—The Nazir shall arrange for the prompt issue and service of all summonses to witnesses received by him having regard to the dates fixed for the attendance of such witnesses.

125. *Mode of service of processes.*—The provisions of the Code relating to the service of summonses *etc.* should be carefully completed with. Attention is drawn in particular to Order V rules 16, 17 and 18 and Form No.11 Appendix B as also Order III Rule, 5.

The process server should, as far as possible, prepare his report on the spot, and attestation of the service should be obtained wherever possible from two respectable residents of the locality in a town or from landlords, headmen, patwaris or neighbours in a village.

Note:—It should be impressed upon the process-servers that it is their duty and not of the party concerned, unless specially directed by the court in any particular case, to find out the person on whom the process is to be served. It is not necessary for the party to accompany them for identifying that person. They should seek the assistance of the village headman, patwari, Chowkidar, *etc.*, to find out the person on whom the process is to be served.

126. *Sufficiency of service and reissue of processes.*—When a process is received back with a service report as contemplated under Order V, rule 19, it shall be promptly laid before the court for orders under Order V, rule 19. A fresh service on payment of necessary process-fee shall ordinarily be ordered if there is sufficient time for such service to be effected.

127. *Service by publication.*—Recourse to the mode of substituted service by publication in a newspaper shall be had only when service by any other method is considered impracticable.

A careful discretion shall be exercised in selecting the paper in which the publication is to be made. Such papers only should be chosen as are likely to be read by the person to be served.

No summons or notice shall be published in a magazine.

CHAPTER IV.

Arrangement, Preservation and destruction of Judicial records.

Section I—(General).

128. *Wrapping of a record or part of a record.*—Each record, or when the record is maintained in separate parts, each part of a record shall be wrapped in a durable file paper and shall be stitched in book form.

128A.—Every sheet of an application, petition, process, notice, order or proceeding, in or relating to a suit, from the institution of the suit down to the final execution of the decree shall bear on the left hand centre portion of each paper (obverse side):—

- (1) The name of the court in which the original suit was instituted, or to which it was transferred;
- (2) The Register number and the year of the original suit; and
- (3) The names of the parties to the suit: Provided that where the above particulars already appear on any paper the endorsement required by this rule shall not be necessary.

129. *Particulars to be shown on the title page of a record or part of a record.*—Each record or when such record is divided into parts, each part of such record, shall have a title page (or wrapper) in the prescribed form (F. 8) showing the following particulars—

1. Name of Court.
2. Kind of Case.
3. Title of case.
4. Number and year of case.
5. Date of Institution.

6. Date of Disposal.
7. Date of consignment to Record Room.
8. Date of decision in Appeal or Revision.
9. Kind of File or Part.
10. Class of record.

130. *Keeping of parts of a record.*—When a record is divided into parts, whether each part shall be kept in a separate file or whether two or more or all the parts of a record shall be stitched together in one file, shall be determined in each case having regard to the nature of the case and the size which the record is likely to attain.

131. *Recording of proceedings, notes, depositions and reports in the record.*—(a) All proceedings, notes, depositions, memoranda and reports shall be written on foolscap size paper. They shall be so recorded as to leave sufficient margin on each side of the paper, so that any writing may not be covered by the stitching or obliterated by fraying at the edges.

(b) The practice of writing orders, reports 'sherishta' or other matters across the top and along the side of a page is forbidden.

132. *General Index.*—(a) As each case is instituted, the clerk in charge of the record shall prepare a general index in (F. 4) which shall be prefixed to the record of every case, and each paper as it is filed unless otherwise directed in these rules, shall be entered in the index.

(b) The exhibit mark of every document admitted in evidence shall be noted in bold letters and figures on the right-hand margin of the index (F. 4) opposite the entry relating to such document.

133. *Order sheet.*—An order sheet in the prescribed form (F. 9) shall be maintained as the second paper of the record in every suit or case.

With a view to showing the course of a case from first to last, it shall contain.—

- (i) a record of the presence of parties and the names of their recognized agents or pleaders,
- (ii) a record of each order passed and material event occurring in the case, or,
- (iii) where such order or event is recorded elsewhere in the file, a note referring to such record and giving the subject-matter and the date thereof.

134. *Contents of order sheet.*—The expression "material event occurring in the case" used in the preceding rule shall, without prejudice to its generality, be held to include:—

- (a) the filing of a plaint or written statement;
- (b) the examination of parties under Order X, rules 1 and 2;
- (c) the recording or amendment of issues;

- (d) the examination and names of witnesses;
- (e) the reading of the deposition of a witness examined by commission;
- (f) the filing of a commissioner's report and any objection (oral or in writing) thereto;
- (g) the presence of witnesses when a case is adjourned;
- (h) the hearing of arguments;
- (i) the delivery of judgment;
- (j) the signing of a decree;
- (k) the filing of an application for review of judgment or amendment of decree;
- (l) an order relating to a deposit, an order for repayment thereof, or an order for issue of a repayment order.

Note:—Upon receipt of an application for repayment, it will be necessary to reconsult the original record. If the original record is already in court, the entry will be made in the order sheet of such record and initialled by the judge; but if the original record is in the record-room and the procedure laid down in Rule 270 has been followed, an entry of such order passed by the court shall be made by the record-keeper under his own initials when the application for repayment is received by him for being filed with the record.

135. *Entries in the Order Sheet.*—Entries in the order-sheet shall be made by the judge or by the Reader under the directions of the judge, and shall bear the signatures or initials of the Judge.

136. *Information to and signature of parties.*—Orders fixing dates or adjourned dates for hearing or directing anything to be done by the parties or their pleaders whether recorded in the order-sheet or elsewhere, shall so far as possible, be signed then and there by the parties or their pleaders.

Section II (Division of Civil Records into classes).

137. *Division of records of Judicial proceedings in Civil Courts.*—(1) The records of judicial proceedings in Civil Courts shall be divided into three classes.

(2) Class I shall include records of:—

- (a) Suits for or affecting immovable property, including suits for foreclosure, sale or redemption other than suits for arrears of rent or for a share in produce, when the right is not disputed and only the amount is contested.
- (b) Suits in respect of the succession to an office or to declare the validity or invalidity of an adoption or otherwise to determine the status of an individual.
- (c) Suits relating to public trusts, charities, endowments, rights or customs.

Note:—For the purposes of this rule, cases affecting personal status do not include Insolvency cases, but where a question of title to Immovable property arises in such a case, the record of such proceedings shall come under para (a) above.

(3) Class II shall include record of:—

- (a) Contested and uncontested suits and cases for succession certificates, probate and letters of administration and for the revocation of the same.
- (b) Cases relating to the guardianship of minors and the administration of their property.
- (c) Cases relating to the guardianship of lunatics and the care of their estate.

(4) Class III shall include records of all suits which do not come under classes I and II.

(5) The records of appeals against decrees and final orders shall belong to the class to which the record of the original case belongs.

(6) The records of appeal in cases other than those referred to in the above sub-rule shall belong to Class III.

(7) The records of execution cases, where a question of interpretation of decree is determined, shall belong to the class to which the record of the original case belongs.

(8) The records of execution cases, where possession of immovable property is given in pursuance of the decree or where immovable property is sold in execution, shall belong to Class I.

(9) The records of execution cases, except those referred to in the preceding two rules, shall belong to Class III.

(10) The records of Insolvency cases, where the court decides a question of title to immovable property, shall belong to Class I.

(11) The records of Insolvency cases other than those referred to in the above sub rule, shall belong to Class III.

SECTION III-(Arrangement of Civil Records in Parts).

138. *Arrangement of civil records.*—(1) The record of an original civil suit or case shall be arranged in four parts A, B, C and D.

(2)(i) Part A shall contain the following papers.

- (a) Index of papers.
- (b) The Order-sheet.
- (c) The plaint or application, together with any schedule annexed thereto.
- (d) Any process served upon the defendant together with the return of service in cases decreed *ex parte*.
- (e) Written statements and oral statements of parties.
- (f) The Memorandum of issues.
- (g) Any award of arbitrators or petition of compromise, if given effect to in the decree, also the report together with the map (if any) of a Commissioner in matters relating to immovable property, if referred to or given effect to in the decree, but not any portion of the evidence taken by such Commissioner; also in the case of minors or lunatics any order of the court sanctioning a compromise as beneficial to the minor or lunatic.

- (h) Any order for administration or for partition or for accounts or inquiry, with the direction given and the judgment upon which such order is founded.
- (i) The judgment or final order.
- (j) The preliminary decree (if any) and the final decree.
- (k) The copy of any judgment and decree passed in appeal or revision.
- (l) Any other paper, which the Presiding Judge may, for reasons to be recorded in writing, order to be placed in Part A.

i) Part B shall contain the following papers:—

- (a) Index of papers.
- (b) All oral evidence.
- (c) Vakalatnama.
- (d) All petitions and papers not specified as included in any other part.

(iii) Part C shall contain the following papers:—

- (a) Index of papers.
- (b) Lists of documents admitted in evidence on behalf of the plaintiffs.
- (c) Documents admitted in evidence on behalf of the plaintiffs.
- (d) List of documents admitted in evidence on behalf of the defendants.
- (e) Documents admitted in evidence on behalf of the defendants.

(iv) Part D shall contain the following papers:—

- (a) Index of papers.
- (b) All summonses, processes, returns thereto, lists of witnesses, petitions relating to the attendance of witnesses or adjournments, proceedings calling for or sending papers or records and affidavits relating to matters mentioned in this sub-rule, petitions for grant of copies or for inspection of record and papers relating thereto.

(3) The papers in each part of a record shall be arranged in the order in which they are set forth in these sub-rules. When there are several papers of the same kind, they shall be arranged in chronological order except that when a witness has been cross-examined or re-examined at a later stage of the proceedings, such cross-examination or re-examination shall be attached to his original deposition.

(4) The record of a Civil appeal case shall be arranged in four parts—A, B, C & D.

(5) (i) Part A shall contain the following papers:—

- (a) and (b) as in original case.
- (c) The petition of appeal, together with copies of judgments and decrees of lower courts.
- (d) As in original case.

(e) Any cross-objection filed by the respondent.

(f) Issues referred for trial by the appellate court with the findings thereon.

(g) to (i) as in original case.

(ii) Parts B, C & D shall be arranged in the same manner as in an original case.

(6) The record of an execution case shall be arranged in two parts A and B.

(7) (i) Part A shall contain the following papers:—

(a) Index of papers.

(b) The Order-Sheet.

(c) The application for execution, together with any schedule annexed thereto and the copy of the decree.

(d) Any petition raising any question as to the construction or effect of the decree and any counter-petition.

(e) The judgment of the court on such question.

(f) The copy of any judgment passed in appeal or revision.

(g) Nazir's return of delivery of possession.

(h) Acknowledgment of receipt of possession.

(i) Court copy of Certificate of Sale.

(j) Receipt or acknowledgment of satisfaction of decree.

(k) Power of attorney where it empowers the Agent or Vakil to receive moneys.

(l) Order of commitment to civil prison and order of release therefrom, together with the Jail report of execution of the order.

(ii) Part B shall contain the following papers:—

(a) Index of papers.

(b) All papers not contained in Part A.

(8) The record of an investigation into a claim or objection preferred during execution proceeding shall be separately compiled and arranged as the record of an original case.

139. *Paper taken out of a record to be replaced with a copy.*—

When a document in any record, civil or criminal, is made an exhibit in another record, civil or criminal and is removed to that record, a certified copy of the document shall be retained in the record from which the document is removed and a note of the removal made on the general index or order-sheet. The certified copy shall be prepared by the Court Reader or clerk and shall be signed by the Presiding Officer of the court. After the decision of the appeal or after the expiry of the period of appeal, if no appeal has been brought, the document shall be returned to the record of which it originally formed part, its place being taken by the certified copy.

140. *Documents forming basis of suit how deals with.*—(1) A party filing an original document on which his suit or defence is founded (except when the valuation of the suit is not above Rs. 500 and the suit is of a nature triable by a small cause court) must file

also a copy thereof. This shall contain, at the top, a note of the stamp duty paid on the original document. The copy will either be prepared by the copying department on payment of fees, or compared there on payment of one-quarter of the charges for preparing a copy.

(2) The document or documents will be kept on a separate file called supplementary C file with an index.

(3) This supplementary file containing the original document or documents and the index will be kept by the Munsarim or Reader in a locked almirah and the key will remain in his custody.

(4) The certified copy will be placed on the record of the suit and will serve the purpose of persons inspecting the record. An inspection of the file of documents will only be allowed in exceptional circumstances and will take place in the presence of the Munsarim and under his control, and on its termination, he will certify that he has counted the documents and seen that none has counted the documents and seen that none has been injured or obliterated.

(5) The file of documents will be produced at the hearing of the suit for the purpose of proving the documents; but except when the file is being shown to a witness, the file will remain on the table of the Presiding Officer. On the termination of the hearing, the Munsarim or Reader will take the file into his custody.

(6) When a record comes to an Appellate Court, the file of documents will be kept in the custody of the Munsarim of the Appellate Court.

(7) A party may ask the court to put any other document into a sealed cover on the record or to add any document to supplementary file C and the Court may do so if it thinks fit.

(8) After final disposal of a suit and orders on appeals, if any, supplementary file C with index will be added enbloc to main file C before consigning the record to the record-room.

141. *Munsarim's certificate as to papers on record.*—Before a record or part of a record is deposited in the record-room, the Munsarim or Reader shall record a certificate in the following form at the foot of the general index:—

“I have this.....day of.....examined the papers in this part and find them to correspond with the general index; they bear (here state number) court-fee stamps of the aggregate value of Rs.....All orders have been carried out. The file is complete upto the date of this certificate.”

When a record or part of a record has been taken from the record-room into court, and any fresh papers have been added to it, the Munsarim or Reader shall, before the record or part is again deposited in the record-room, record a further certificate in the same form as above, at the foot of any fresh entries in the general index. Such further certificate shall refer to the added papers only.

CHAPTER V

EXECUTION

142. *Prompt disposal of execution cases.*—Every Presiding Judge shall see that execution cases are not neglected or needlessly prolonged, but disposed of with the same care and regularity as original suits. Sufficient time should be allowed for the execution of all processes, warrants and orders issued which shall be drawn up in the Execution department in strict rotation except in special cases under written orders of the Presiding Judge. Processes and orders ordered to be given 'dasti' to a party or counsel shall be promptly prepared and given out the same day or next day in court through the Reader.

The Judge shall see that the orders issued by him are carried out; and frequent or habitual carelessness, unpunctuality or procrastination in the Execution Department should be adequately punished.

An order staying execution shall be promptly complied. If execution has taken place, there shall be no restitution in pursuance of the order of stay.

143. *Procedure on receipt of decree from another court.*—(1) A decree or order received for execution from the High Court or from a court subordinate to the High Court shall be entered in the register of applications for execution of decrees and orders (Reg. 34). It shall on receipt be laid before the court which will pass an order more or less to the following effect:—"Let this application be put up on this day year, or earlier, if any application is received for execution." As soon as an application for execution of the same is made, along with such application, the documents mentioned in Order XXI, rule 6, shall be laid before the court. The court to which the decree is sent shall proceed to execute the decree.

The record of proceedings, shall be returned to the court by which the decree was sent for execution:—

- (a) When the decree has been executed, wholly or in part, by the court to which it has been sent;
- (b) when the decree is found for any reason to be incapable of execution, or
- (c) if no application is made for execution, after the expiry of one year from the date on which the decree was received.

In the case of (b) or (c), along with the file shall be sent a statement explaining the reason for the return of the record. In no case shall such file be consigned to the record-room of the court to which the decree has been sent for execution. The court by which the decree was sent for execution shall, on receiving back these papers, cause them to be filed with the application of the decree-holder for execution.

(2) A decree received for execution from a court not subordinate to the High Court shall be entered in the register of applica-

tions for execution of decrees and orders (Reg. 33). It shall on receipt be laid before the District Judge who will pass an order more or less to the following effect, "Let this application be put up on this day year or earlier if any application is received for execution." As soon as an application for execution of the same is made, along with such application the documents mentioned in Order XXI, rule 6, shall be laid before the Court.

The District Judge will either himself deal with the application for execution or send it to a court subordinate to him for execution. The subordinate court will proceed to execute the decree and return the papers when execution has been fully carried out or carried out as far as the decree holder is prepared to carry it.

The papers will then be returned to the District court and laid before that Court at the earliest opportunity. The record of the execution proceedings shall be retained and filed in the court which received the decree for execution, the result of the proceedings being certified to the other court as required by section 41 of the Code.

Notes

Order 21 Rule 6 requires that,—The Court sending a decree for execution shall send—

- (a) a copy of the decree;
- (b) a certificate setting forth that satisfaction of the decree has not been obtained by execution within the jurisdiction of the Court by which it was passed, or, where the decree has been executed in part, the extent to which satisfaction has been obtained and what part of the decree remains unsatisfied ; and
- (c) a copy of any order for the execution of the decree, or, if no such order has been made, a certificate to that effect.

144. *Copy of decree need not accompany execution application.*—The application for execution of a decree excepting the first application, need not be accompanied by a copy of the decree sought to be executed. But an application for an order for sale under Order XXI, rule 66 (3) of the Code, shall invariably be accompanied by a verified statement containing all information the decree-holder can ascertain from the Collector's registers and all other sources bearing upon the matters specified in sub-rule (2) of Order XXI rule 66.

Notes.

Order 21 Rule 66 reads as under,—(1) Where any property is ordered to be sold by public auction in execution of a decree, the Court shall cause a proclamation of the intended sale to be made in the language of such Court.

(2) Such proclamation shall be drawn up after notice to the decree-holder and the judgment-debtor and shall state the time and place of sale, and specify as fairly and accurately as possible—

- (a) the property to be sold ;
- (b) the revenue assessed upon the estate or part of the estate, where the property to be sold is an interest in an estate or in part of an estate paying revenue to the Government ;
- (c) any incumbrance to which the property is liable ;
- (d) the amount for the recovery of which the sale is ordered ; and
- (e) every other thing which the Court considers material for a purchaser to know in order to judge of the nature and value of the property.

(3) Every application for an order for sale under this rule shall be accompanied by a statement signed and verified in the manner hereinbefore prescribed for the signing and verification of pleadings and containing, so far as they are known to or can be ascertained by the person making the verification, the matters required by sub-rule (2) to be specified in the proclamation.

(4) For the purpose of ascertaining the matters to be specified in the proclamation, the Court may summon any person whom it thinks necessary to summon and may examine him in respect to any such matters and require him to produce any document in his possession or power relating thereto.

145. *Duty of Munsarim and office.*—It shall be the duty of the Munsarim or official concerned to receive applications for execution, and before putting up an application for orders, the office shall, by reference to its registers, ascertain and report whether the requirements of Order XXI, rules 11 to 14 applicable to the case have been complied with and whether the application is within time and jurisdiction.

The office report shall state that the application is in order, or, if it be not in order, shall state the exact defect and how the defect should be remedied.

The execution application should, as a rule, be put up before the Presiding Officer on the next working day.

Notes

With the receipt of applications for execution, the office is required to report whether the requirements of Order 21 Rule 11 to 14 have been complied with. The rules read as under:—11. (1) Where a decree is for the payment of money the Court may, on the oral application of the decree-holder at the time of the passing of the decree, order immediate execution thereof by the arrest of the judgment-debtor, prior to the preparation of a warrant if he is within the precincts of the Court.

(2) Save as otherwise provided by sub-rule (1), every application for the execution of a decree shall be in writing, signed and verified by the applicant or by some other person proved to the satisfaction of the Court to be acquainted with the facts of the case, and shall contain in a tabular form the following particulars, namely :

- (a) the number of the suit ;
- (b) the names of the parties ;
- (c) the date of the decree ;
- (d) whether any appeal has been preferred from the decree ;
- (e) whether any, (and if any) what, payment or other adjustment of the matter in controversy has been made between the parties subsequently to the decree ;
- (f) whether any, and (if any) what, previous applications have been made for the execution of the decree, the dates of such applications and their results ;
- (g) the amount with interest (if any) due upon the decree, or other relief granted thereby together with particulars of any cross-decree, whether passed before or after the date of the decree sought to be executed ;
- (h) the amount of the costs (if any) awarded ;
- (i) the name of the person against whom execution of the decree is sought ; and
- (j) the mode in which the assistance of the Court is required, whether—
 - (i) by the delivery of any property specifically decreed ;
 - (ii) by the attachment and sale, or by the sale without attachment, of any property ;
 - (iii) by the arrest and detention in prison of any person ;
 - (iv) by the appointment of a receiver ;
 - (v) otherwise, as the nature of the relief granted may require.

(3) The Court to which an application is made under sub-rule (2) may require the applicant to produce a certified copy of the decree.

12. Where an application is made for the attachment of any movable property belonging to a judgment-debtor but not in his possession, the decree-holder shall

annex to the application an inventory of the property to be attached, containing a reasonably accurate description of the same.

13. Where an application is made for the attachment of any immovable property belonging to a judgment-debtor, it shall contain at the foot—

(a) a description of such property sufficient to identify the same and, in case such property can be identified by boundaries or numbers in a record of settlement or survey, a specification of such boundaries or numbers ; and

(b) a specification of the judgment-debtor's share or interest in such property to the best of the belief of the applicant, and so far as he has been able to ascertain the same.

14. Where an application is made for the attachment of any land which is registered in the office of the Collector, the Court may require the applicant to produce a certified extract from the register of such office, specifying the persons registered as proprietors of, or as possessing any transferable interest in the land or its revenue, or as liable to pay revenue for the land, and the shares of the registered proprietors.

146. *Serving officer's endorsement on warrants.*—The Officer executing a warrant of arrest or attachment shall endorse on the warrant the fact of satisfaction of the decree in whole or in part only when the amount is paid to such officer himself or paid to the decree-holder in his presence or payment of the amount is admitted by the decree-holder or his recognised agent in writing. If the decree-holder or his counsel does not appear on the next date fixed for the case, the court shall record the decree-satisfied to the extent of the payment made.

147. *Mode of certifying under Order, XXI, rule 2.* A certificate in the form given below may be presented under order XXI, rule 2 (1) of the Code to the court without any formal written application. Such certificate need not be stamped. Should the certificate accompany a formal written application, such application shall be stamped under Court Fees Act, 1870, as adapted to Rajasthan, but the stamp shall not be charged as costs against the judgment-debtor. The form of certificate shall be as follows.—

IN THE COURT OF THE

OF

Versus

.....Plaintiff

Suit No.

of 19.

.....Defendant

Certificate by decree-holder under Order XXI, rule 2 (1) of the Code of Civil Procedure, 1908 I,....., decree-holder, certify to the court payment or adjustment in the following terms of the amount of Rs. in the above suit by on the

Date

Decree-holder.

Notes.

Order 21 Rule 2 requiring the certification of payments provides that,—

(1) Where any money payable under a decree of any kind is paid out of Court, or the decree is otherwise adjusted in whole or in part to the satisfaction of the decree-holder, the decree-holder shall certify such payment or adjustment to the Court whose duty it is to execute the decree, and the Court shall record the same accordingly.

(2) The judgment-debtor also may inform the Court of such payment or adjustment, and apply to the Court to issue a notice to the decree-holder to show

cause, on a day to be fixed by the Court, why such payment or adjustment should not be recorded as certified; and if, after service of such notice, the decree-holder fails to show cause why the payment or adjustment should not be recorded as certified, the Court shall record the same accordingly.

(3) A payment or adjustment, which has not been certified or recorded as aforesaid, shall not be recognized by any Court executing the decree.

148. *Posting of proclamations and orders.*—Copies of orders of attachment and proclamations of sale shall be so affixed with paste or gum that they may be maintained in a condition to attract the attention of those for whose information they are intended.

149. *Sale by court in execution of decree.*—Where property to be sold in execution of a decree is a garden, or land occupied by a house or appurtenant thereto, or movable property, of any description, or is any interest in such garden, land or movable property, the court shall appoint a sales amin or other official appointed for the purpose to conduct the sale, unless special reasons render it necessary that other agency should be employed; in which case such reasons shall be set forth in the handwriting of the Presiding Judge in the order of appointment.

150. *No interference by court with Collector's procedure.*—A Civil court shall not interfere with the procedure of a Collector in the execution of a decree which has been transferred to him under section 68 of the Code.

Notes

Section 68 of C. P. C. empowers the State Government,—

The State Government may, declare, by notification in the Official Gazette, that in any local area the execution of decrees in cases in which a Court has ordered any immovable property to be sold, or the execution of any particular kind of such decrees or the execution of decrees ordering the sale of any particular kind of, or interest in, immovable property, shall be transferred to the Collector.

151. *Contents of sale certificates.*—(1) A certificate issued under Order XXI, rule 94 shall invariably contain the following particulars.—

(a) the “addition” (as defined in section 2 of the Registration Act, 1908) of the person who is declared to be the purchaser.

(b) particulars sufficient to identify the property as required in sections 21 and 22 of the said Act.

(2) A sale certificate issued under Order XXI, rule 94 in respect of any sale shall be drawn up upon a stamp paper of the value required by Article 18 of the 1st Schedule of the Stamp Act No. II of 1899, as adapted to Rajasthan under the Stamp Law (Adaptation) Act, 1952.

(3) On each copy of the certificate the amount of stamp-duty paid on the original certificate shall be noted.

N. B.—Copies prepared in compliance with section 89 (2) of Registration Act 1908, are, by article 24 (a) of Schedule I of Stamp Act No. II of 1899 as adapted by the Rajasthan Stamp Law (Adaptation) Act, 1952 are exempt from stamp-duty.

(4) All copies of certificates of sale shall be prepared upon durable paper, sufficient margin being left for binding.

Notes

Order 21 Rule 94 provides that,—Where a sale of immovable property has become absolute, the Court shall grant a certificate specifying the property sold and the name of the person who at the time of sale is declared to be the purchaser. Such certificate shall bear date the day on which the sale became absolute.

152. *Postal charges of transmission of decree to another court.*—Postage shall be levied in the form of one rupee cash from the decree-holder for the transmission and return by post of a decree, sent under section 39 of the Code to another court for execution upon an application by the decree-holder. The money shall be credited into the treasury.

CHAPTER VI.

Record room and the Preservation and Destruction of records.

The record room

153. *Racks for each court.*—A separate part of a rack or one or more separate racks in the record-room shall be, as far as possible, assigned to each court, the records of which are consigned in the record-room.

154. *Arrangement of Records.*—Records shall be kept in accordance with the dates of disposal of the cases to which they relate.

Records of different kinds of cases, *e. g.* original suits, appeals, shall be kept separately.

Records of execution cases relating to the same decree shall be kept together.

Records of execution cases shall be kept in the same order in which the records of the corresponding original suits are kept.

155. *Transmission of record to record room.*—(1) At the beginning of every month, the complete records of all suits, appeals and miscellaneous judicial cases not relating to suits or other cases decided during the month shall be made up into a bundle; and on or before the twenty-fifth day of the month they shall be transmitted to the record-room on such dates and in such manner as the District Judge may from time to time by his order direct. Records of miscellaneous cases relating to other suits shall not be sent in the monthly bundle.

N. B.—Records of cases in which proceedings are stayed or in which proceedings are held up for any reason shall not be consigned to the record room.

(2) Every subordinate court shall on the 28th of every month submit a certificate to the District Judge to the effect that all records which should have been transmitted to the record room under the preceding para have been so transferred, or explain the cause of delay if any records have not been transmitted. For the District Judge's court this shall be done by the Munsarim of his court.

(3) If a completed record is required for use in the court in which it was completed, or if it has been requisitioned by another court, or if, for any other reason, a completed record is not sent to the record-room at the time specified in this rule, there shall be sent to the record-keeper, in the monthly bundle, in place of every such record, a copy of the form of requisition (F. 15) under which it has been detained, or transmitted elsewhere; the record-keeper shall deal with this as an original requisition.

(4) An insolvency case where an order of adjudication is made, is not to be deemed to be finished until the insolvent has been discharged.

(5) The records of decided execution cases shall be consigned to the Record Room at the end of each month in the manner indicated in Sub-rule (1). They shall be kept in the Record Room in the manner indicated in Rule 154.

156. *Each bundle transmitted to certain list of contents.*—Each bundle transmitted to the record-room shall be accompanied by a list of the records it contains prepared by the official in charge of the records and signed by the Chief Ministerial Officer of the court. The list shall be on the prescribed form (F. 10) and shall be placed on the top of the records before the bundle is closed.

157. *Packing and transmission.*—Each bundle shall be sewn up and sealed in the presence of the Chief Ministerial Officer of the Court. In outlying courts at places where there are no record-rooms, the bundles of each class shall be sewn up into one large bundle and placed in a strong tinlined box provided with duplicate keys, one of which shall remain in the court transmitting the records and the other in the court to which the record room is attached.

158. *Procedure to be followed by a record keeper.*—With the bundle shall be sent an invoice in the prescribed form (F. 11), the upper portion of which shall be filled up in the Court transmitting the record and shall be signed by the Chief Ministerial Officer of the court. On receipt of the bundle the record-keeper, after comparing the entries in the invoice with the lists accompanying the bundles and with the number of records of each class actually received, shall if the invoice be found to be correct, sign the acknowledgment at the foot of it, and return it to the court from which it was received. If the invoice be found to be incorrect, the record keeper shall acknowledge the receipt of the records actually received, and shall report the discrepancy for the orders of the Judge in charge.

159. *Transmission of registers and books.*—The rules for the transmission of record shall apply, *mutatis mutandis* to the transmission of registers and books.

160. *Bundles pending examination.*—The bundles of records as received by the record-keeper shall, pending his examination under the next rule, be kept in racks set apart for the purpose.

161. *Record keeper's examination of records received.*—As soon as may be after the bundles have been received, the record keeper himself or through his deputy or assistant record-keeper, shall compare the papers in each record with the general index and satisfy himself:—

- (1) that the papers in the record correspond with those entered therein;
- (2) that each file contains the papers properly appertaining to it;
- (3) that documents in the record bear no blots, erasures, or interlineations, but those noted in column 8 of the general index;
- (4) that the papers bear the stamp entered in column 6 of the general index;
- (5) that the stamps have been duly cancelled;
- (6) that on each paper the number and aggregate value of the stamps on it have been recorded;
- (7) that the rules made by the Government for regulating the number of stamps to be used for denoting fees have been complied with;
- (8) that there is nothing suspicious in the appearance of the stamps;
- (9) that all orders have been duly signed;
- (10) that all necessary receipts are in the record.

162. *Record keeper's certificate of correctness or report to District Judge.*—If the record be found to be in order, the record-keeper, the deputy record-keeper, or the assistant record-keeper, as the case may be, shall record a certificate to that effect in the general index. If the record be found to be defective in any respect, he shall in writing report its condition for the orders of the Judge in charge; and the report with all other papers consequent on it shall, after being entered in the general index, be filed with the record. Such report shall be made on the printed form (F. 12) prescribed by the High Court.

If the Judge orders the file to be returned for correction, the record-keeper will fill up Form No. 16, columns 2, 5 and 6, and deal with the form as if it were issued on receipt of a requisition from a court.

Where the court, of which the record has been found defective, is at headquarters, it will be preferable, as a rule, to send for the clerk at fault and have the necessary corrections carried out in the record room. The record while under correction and the clerk correcting it should always be under the immediate eye of the record-keeper or of a deputy record-keeper.

163. *Examination when to be completed.*—The examination of the records of each bundle received in the record room shall be completed within a month from the date of receipt.

164. *Lists to be stitched into books.*—As soon as the examination of the records in each bundle is completed, the lists which accompanied the bundle, shall be stitched into a file book, and ordinarily at the end of the calendar year, the lists of each class of records shall be separately bound up for each court, so as to constitute registers of decided cases. No other register of decided cases shall be kept up in the record-room.

If in any calendar year the number of sheets in any list is too small, the list may be bound up at the end of 2 to 5 calendar years as convenient.

165. *Second punching of labels.*—When a case is decided and consigned to the record room, the record-keeper, the deputy record-keeper or assistant record-keeper shall punch a second hole in each court fee label distinct from the first and note the date of his doing so at the same time. The second punching shall invariably be made in the middle of that part of the label on which its value is printed but shall not remove so much of the stamp as to render it impossible or difficult to ascertain its value or nature.

166. *Arrangement of records in bundles.*—(1) The records of miscellaneous cases relating to other cases will be put up with the connected cases.

(2) The records of miscellaneous cases not relating to other cases shall be kept in separate bundles.

167. *Treatment of miscellaneous cases relating to pending cases.*—When the other case to which a miscellaneous case disposed of in any month relates is pending, the record of the miscellaneous case will be put up with that of the other case by the proper officer of the court.

168. *Arrangement of records and labeling of bundles.*—In the bundles the records shall be kept according to their serial number in the list or register of disposed of cases, the bundles shall be arranged so as to secure facility of access to the more recent records.

On each bundle shall be painted, by means of a stencil plate or other-wise the year and month and the class of records; and to each bundle shall be attached a label showing by their serial numbers the earliest and latest records, for the time being, belonging to that bundle.

The Judge in charge may assign different coloured bastas to the different courts from which records are received.

169. *Period of retention of books and registers Courts before consignment to record room.*—The following registers and books shall be retained in each court for the period specified against each:

Description or register or book.	Period of retention in the court
1. Despatch register	One year after completion

2. Register of miscellaneous judicial cases not relating to suits or other cases	...	—do—
3. Register and books kept by Amins.	...	—do—
4. Register of receipts of deposits	...	Three years after the items recorded in the register have been disposed of.
5. Register of petty receipts and repayments.	...	—do—
6. Register of applications for execution of decrees and orders	...	Twelve years after completion
7. Register of Civil suits.	...	Fifteen years after completion.

All other registers, books and papers specified in rules below shall be retained until completion.

Not later than 31st March following the period above prescribed for retention, the books, registers, and papers shall be forwarded to the record-room accompanied by a list in the prescribed form (F. 13). The list shall be pasted into a file book kept for the purpose in the record-room, a separate file being assigned to each court.

170. *Preservation and destruction of records.*—(1) Part A of civil records of class I shall be preserved permanently.

(2) Part A of civil records of class II shall be preserved for 50 years.

(3) Part A of civil records of class III shall be reserved for 24 years.

(4) Parts B and C of civil records of class I shall be preserved for 12 years.

(5) Parts B and C of civil records of classes II and III shall be preserved for 6 years.

(6) Part D of civil records of all classes shall be preserved for 3 years.

171. *Period of retention of papers.*—The following papers shall be destroyed on the expiration of the periods specified against them computed from 1st January, of the year succeeding that to which they relate:—

No.	Description of Paper	Period of retention
1	Counterfoils of Amin's payment orders	Three months.
2	File Books of weekly extracts from Amin's diary.	Three months.
3	File books of Amin's monthly cash returns	Six months.
4	Counterfoils of cash receipts books of Amins	One year.
5	Invoice Counterfoil.	—do—
6	Counterfoils of receipts granted for payments into court	—do—
7	File books of advice lists	—do—

8	File books of memoranda of monthly grand totals of amounts received and repaid at the Treasury.	—do—
9	File books of monthly extracts from registers of receipts and repayments of deposits.	—do—
10	Periodical statements, returns, and office copies of the same, except annual returns and statement	—do—
11	Proceedings of other courts and offices forwarding summonses, notices, proclamations & the like	—do—
12	Proceedings of lower courts calling for records asking for information, and the like	One year
13	Reports from ministerial officers not relating to particular suits or cases	—do—
14	Applications for leave, or from candidates for employment or any other proceedings, reports and applications not relating to particular suits or Cases	—do—
15	File books of Amin's monthly property statement	—do—
16	File books of applications for search	—do—
17	Application for renewal of certificates of pleaders and cancelled certificates	Two years.
18	Plus and minus memoranda and file books of the same	Three years.
19	Counterfoils of certificates for refunds of payments of court-fees	—do—
20	Treasury Chalang for saleable forms	Six account years
21	Counterfoils of repayment order books	Twelve years.

172. *Period of retention of books.*—The following books shall be retained for the periods specified against them.—

No.	Description of books	Period of retention after date of last entry.
1	Register showing the classification and value of suits instituted	One year.
2	Register of persons committed to Jail	—do—
3	Memorandum book of dates	—do—
4	Register of proceedings taken in execution of order received from the High Court	—do—
5	Despatch Register	—do—
6	Process Register	—do—
7	Process servers diary	—do—

8	Register of sanctioned estimates for maps and plans	....	....	....	—do—
9	Register of orders issued to Amins.	....			Three years.
10	Amins diary	..	...	....	One year.
11	Amin's proceedings register	...	....		—do—
12	Register of fines, stamp duties and penalties levied	...	...	....	—do—
13	Peon Book or station Dak Book	...	....		—do—
14	Register of applications for copies	...	....		—do—
15	Inspection register	...	...	....	—do—
16	List of unexpended petty deposits	...	...		—do—
17	Register of cases in which salaries of public officers and railway servants are ordered to be withheld under Order XXI, rule 48 of the Code.	...	...	....	Three years.
18	Amin's property register	...	...	....	—do—
19	Amin's cash register	...	...	....	—do—
20	Register of petty receipts and repayments, and Munsarim's register of money-orders				—do—
21	Pass Book	....	....	...	—do—
22	Travelling allowance bill-book	....	....		—do—
23	Day Book	...	...	....	—do—
24	Register of court-fees and process fees	....			—do—
25	Stock book of printed forms	...	....		—do—
26	Register of casual leave	...			Three years
27	Outstation dak book or service postage stamps account book	...	...	....	—do—
28	Office copies of lists of lapsed deposits and clearance register	...	...	....	Three years after the close of the account year to which they relate.
29	Stationery Register	...	...	....	Three years. (after completion)
30	Register of contingent charges	...	...		Five years.
31	Acquittance roll books	...	...		Five years. (after completion)
32	Register of original suits disposed of	...			Six years.
33	Register of disposal of applications for executions of decrees and orders	...			—do—
34	Register of insolvents' estates in the hands of receivers	...	...	....	—do—
35	Register of requisitions for records	..			—do—
36	Register of appeals from decrees disposed of				—do—
37	Insolvency register	...	...	....	Twelve years.
38	Case Book	..	...	....	—do—
39	Register of miscellaneous cases, judicial	...			—do—
40	Register of circulars received	...	..		Twenty years.

41	Register of returned documents...	...	Thirty years.
42	Register of applications for execution of decrees and orders	... ..	-do-
43	Register of decided cases...	..	-do-
*44	Register of receipts of deposits	...	-do-
45	Register of repayments of deposits	...	-do-
46	Register of civil suits (small cause court cases)	.... ....	Forty years.
47	Register of letters received	....	-do-
48	Register of letters issued	....	-do-
49	Register of miscellaneous Judicial cases not relating to other cases	....	Fifty years.
50	Register of Miscellaneous appeals	...	-do-
51	Register of pleaders enrolled	....	-do-
52	Register of appeals from decrees	...	Sixty years.
53	Register of Civil suits	....	Permanently.
54	File Index	....	-do-
55	Catalogue	....	-do-
56	Stock register of furniture	....	-do-
57	List of registers consigned to the record-room	...	-do-
58	File books of standing orders and Circulars.	...	-Do-

Provided that no court subordinate to the District Judge shall cause any books to be destroyed under this rule, without having first obtained his permission in writing to do so.

173. *Monthly Destruction of files or parts.*—Month by month the files or parts of which the period for retention has expired, shall be removed from their records under the personal superintendence and responsibility of the record-keeper and shall be sold as waste paper in accordance with the instructions contained in rule 624.

174. *Powers of District Judge in regard to destruction of papers*—(a) The District Judge may in his discretion, direct the retention, for a longer period or permanently of papers which he may consider likely to be useful in future, as containing the results of inquiries or other information, or the opinions of experienced officers, on matters connected with the general administration of Justice.

(b) No court subordinate to the District Judge shall cause any papers or records relating to Accounts, Establishment or general administration to be destroyed without obtaining the sanction of the District Judge.

Foot Notes:—Before destruction of the acquittance roll books, services of inferior servants should be verified and a note to that effect made in the service book concerned.

*If any item in the register remains unrefunded even at the end of 30 years, the register should be preserved until all the lapsed deposit items pertaining to the register have been refunded to the parties concerned.

They should be retained permanently or until revised books duly attested by the Head of the Office are prepared.

(c) Where no period for weeding any record, book or register is prescribed, the District Judge shall order their destruction at his discretion, and refer doubtful cases, if any to the High Court for instructions.

175. *Destruction of files selected for weeding.*—In the first week of each quarter of the year, the record-keeper shall submit to the Judge in charge a list of those cases in which he has weeded out file 'C' and in which there are cumbrous and bulky exhibits, such as account books, khatahs, zamindari papers and the like which have not been put up with the record of the trial.

The Judge in charge, unless he sees cause to the contrary shall order notice to issue to the pleaders and to the parties concerned that if these exhibits are not removed they will be sold as waste paper on the last day of the quarter in which notice is issued.

The notice will be in the prescribed Form (F. 14) and the Nazir shall be responsible that the notice is issued without delay.

In all cases in which there are exhibits of the kind above mentioned which have not been admitted in evidence, the court in which they have been filed shall deal with them as prescribed in rule 52.

CHAPTER VII

P uction, Return and Transmission of Records.

176. *Prohibition against issue of records.*—Ordinarily no record shall be issued except on the requisition of a Civil, Criminal or Revenue Court, of the Government, of the Board of Revenue, of the Commissioner of the Division, or of the Commissioner of Customs and Excise and of the Inspector General of Registration and Stamps, and then only on an order of the Presiding Judge. In all other cases, before a record is issued, the orders of the High Court shall be taken on the subject.

177. *Forms of requisition.*—Every requisition for a record or portion of a record shall be made upon the prescribed form (F. 15). It should also be stated specifically in the requisition why certified copies obtained in the usual manner by the parties will not serve the purpose, and that proper court-fee has been realised.

178. *Procedure for sending requisitions out of Rajasthan.*—A requisition under Order XIII, rule 10 of the Code, for a record pertaining to, and in the custody of a High Court, other than the Rajasthan High Court, or pertaining to, and in the custody of, a Court subordinate to such other High Court, shall be transmitted through the Rajasthan High Court at Jodhpur, and shall be accompanied by a copy of the affidavit required under that provision, together with a duly certified translation into English, if such affidavit be not in English. Such requisitions shall be forwarded to the High Court with a forwarding letter clearly indicating the suit, appeal or proceeding in which the record is required.

Notes

The procedure for requisition of records from other Courts is prescribed under Order 13 Rule 10 which reads as under :—

(1) The Court may of its own motion, and may in its discretion upon the application of any of the parties to a suit, send for, either from its own records or from any other Court, the record of any other suit or proceeding, and inspect the same.

(2) Every application made under this rule shall (unless the Court otherwise directs) be supported by an affidavit showing how the record is material to the suit in which the application is made, and that the applicant cannot without unreasonable delay or expense obtain a duly authenticated copy of the record or of such portion thereof as the applicant requires, or that the production of the original is necessary for the purposes of justice.

(3) Nothing contained in this rule shall be deemed to enable the Court to use in evidence any document which under the law of evidence would be inadmissible in the suit.

179. *No charges payable on requisition by court sou motu.*—When a requisition for a record is made by a Court *sou motu*, the fact should be stated in the requisition and no charges levied from any party.

180. *Charges payable by a party for requisition.*—When a record is requisitioned at the instance of a party, a court-fee of Re. 1 shall be charged as in the case of inspection of records. In applications for refund, the procedure laid down in that connection will also be followed. This fee shall be in addition to the court-fee prescribed by the Court-fees Act, 1879, as adapted to Rajasthan, Schedule II, Articles 1 (b) or (d) and 1 A.

181. *Provision governing issue of record.*—(1) When, at the instance of a party, a court requisitions a portion of a record, it shall require the party to file a certified copy of the portion required, and such copy shall be attached to the requisition. The copy or copies will be placed on the record and then the original document or documents shall be sent. When the portion of the record is received back in the court or record room, the applicant shall be entitled to have the copy returned to him on application for the same.

(2) Where the record is deposited in the same building, it may often be more convenient to send the whole record and not merely the portion requisitioned. In such cases, the whole record and not merely the portion asked for may be sent in answer to the requisition.

182. *Record-keeper's procedure.*—No requisition for a record or portion of a record shall be complied with except in accordance with an order of the High Court, the District Judge or of the Presiding Officer of the court in which the record is. The record-keeper, or with the sanction of the Judge or the Presiding Officer, as the case may be, the clerk in charge of the record on receiving such order, shall comply with the same, and shall send the record or portion under cover of the prescribed form for transmission (F. 16). The form shall be filled up in the record room or in the transmitting court, and in the remarks column the record-keeper or Munsarim, as the case may

be, shall certify whether the record or portion does or does not contain all the papers entered in the general index of that part of the record. The form of requisition received shall be placed in the bundle from which the record was taken.

183. *Register of requisitions.*—The record-keeper and the Munsarim of each court shall keep a register of requisitions for records (Reg. 5) columns 1 to 14 of which shall be filled up as soon as a requisition received, and columns 15 and 16 when the record is transmitted.

A separate register of requisitions shall be kept by each assistant in the record-room in charge of records of a court or group of courts.

184. *Return of records.*—When the record or a portion of a record is no longer required, it shall be promptly returned to the record-room or the court from which it was received, as the case may be, the necessary entries on the form of transmission shall be made, and the original form shall be filed in the suit for the purposes of which the record or portion was sent for, and a copy of this form shall be returned with the record or portion. In the remarks column of such copy the Munsarim of the court returning the record or portion shall certify whether the record or portion does or does not contain all the papers entered in the general index of the part or portion.

185. *Procedure on return of record.*—On receipt of the record or portion, the record-keeper or Munsarim shall deal with it in the manner, *mutatis mutandis*, described in rule 191. In the case of records or portion returned to a record-room, so much of the procedure laid down in chapter VI, rules 161 and 162 as is applicable shall also be carried out. The record-keeper or Munsarim shall then fill up columns 17 and 18 of the register of requisition and shall file the requisitions with the record or portion, and replace the record or portion in its bundle. The copy of the form for transmission, returned with the record or portion shall then be destroyed.

186. *Check on delay in return of records.*—Once every three months the record-keeper and the Munsarims of the courts shall lay the register of requisitions before the District Judge or the Presiding Officer for orders as to records or portions which have been issued more than three months and have not been returned.

N. B.—Records of cases appealed to the High Court will be returned for deposit in the record-room of the District Judge after the expiration of 6 months from date of judgment in cases appealable to the Supreme Court, and after 90 days in other cases.

187. *Records of cases appealed to the High Court.*—Records of cases appealed to the High Court shall be submitted forthwith on receipt of the precept calling for them; when the subordinate court is unable to comply with the precept within the time fixed for the purpose, it shall submit a report stating—

- (1) the number of the High Court's precept;
- (2) the number of the case in which the precept was issued;
- (3) the names of the parties to the case;
- (4) the reason for non-compliance;
- (5) the date by which the compliance is likely to be made.

If the compliance cannot be made by such a date, a further report shall then be made.

188. *Loss of record.*—Whenever it is discovered that a record or portion of a record or a document on the file of a record is missing, the loss or theft shall be immediately reported in writing to the Judge in whose district or office the loss or theft has occurred, and he in turn shall report the fact to the High Court and state the steps taken to try and recover the paper or papers missing.

189. *Records pertaining to a court.*—Every requisition for a record or a portion of a record pertaining to a court in a foreign or Commonwealth country shall be sent to the High Court for being forwarded to the Ministry of External Affairs and Commonwealth Relations, Indian Union, and shall invariably be accompanied by an affidavit in the terms of Order XIII, rule 10 of the Code. It should be stated by the court summoning the record or a portion of it whether it has satisfied itself that the production of the original record or a portion of it is actually necessary.

Transmission.

190. *How to send records.*—The following instructions shall be observed in connection with the transmission of records to the High Court, and with the transmission upon requisition of records from one Court to another and from a record-room to a court and vice versa :

(1) Except in the case provided for in paragraph (5) of this Rule, records shall be sent either by parcel post registered, or by passenger train. Those sent by parcel post shall be, between July and November, securely packed in wax cloth and sealed along the seams at intervals of not more than 4 inches. Those sent by rail shall be carefully placed either in gunny bag similarly sealed or in well secured wooden box.

(2) The postage and the registration fee in the case of parcels sent by post shall be fully prepaid by means of postage stamps. Similarly, in the case of parcels sent by rail, the freight shall be prepaid.

(3) No parcel sent by post shall include papers referring to more than one case. If papers referring to more than one case are enclosed in a parcel or box sent by rail, a list shall always be placed in the box containing the number of each record or portion thereof and its weight as a separate parcel.

(4) All parcels sent by post or by rail shall be weighed before despatch in the presence of the munsarim or Record-keeper, as the case may be, and the weight noted outside.

(5) When the court requiring a record, is in the same station as the record-room, or the transmitting court, the record may be sent by Government messenger, but it shall be secured by seals in such a manner as to prevent the record being opened or papers abstracted in transit without the seals being broken or the fastening severed.

(6) An acknowledgment shall be invariably required from the court to which a parcel containing a record has been sent, and in the event of none being received within a reasonable time, the matter shall be brought to the notice of the Presiding Officer, and an inquiry made to ascertain the cause.

191. *Examination of records on arrival.*—(1) On arrival, the parcel containing the record shall be received by the Munsarim. He shall examine it and have it weighed. If it appears in tact and not open to suspicion, he shall then make it over to the clerk in charge of the records, who shall forthwith check the papers it contains, and see that they agree with the general index and order sheet. If the record is found correct, it shall be so stated by the clerk in the form of acknowledgment. If the record is found to be in any way defective, a report shall be made without delay to the Presiding Officer.

(2) If any parcel received by a Munsarim appears to have been tampered with, he shall have it opened in the presence of an official of the post office or railway in accordance with the rules of those departments. He shall himself check the papers and if any appear to be missing, he shall at once bring the matter to the notice of the Presiding Officer.

192. *Application of preceding rules to production, return and transmission of registers, books etc.*—The above rules will also apply to the production, return and transmission of registers, books etc.

CHAPTER VIII

Inspection and Search of Records.

193. *Separate room for inspection.*—The Presiding Officer of each court, or where there are centralised arrangements for the inspection of records of more than one court located at the same station, the senior most judicial officer shall allot a room for the inspection of records. Where there is no official appointed exclusively as an Inspection Clerk, he shall appoint the Copyist or one of the clerks to perform the duties of the Inspection Clerk.

194. *Prohibition against giving surreptitious information.*—Ministerial officers and the inferior staff of the court should be made to understand that no information or copy shall, in any circumstances, be given otherwise than as laid down in the rules and that surreptitious or gratuitous supply of information or copy is strictly forbidden.

195. *Application for information.*—Any person desiring to ascertain the serial number and date of institution of any suit or other registered particulars respecting a suit, or any proceedings therein, or of any judicial proceedings, shall present or send by post to the court a written application stamped with a court-fee label of [twenty-five naya paisa] and giving the best particulars he can as to the year of institution and the names of parties. The Munsarim shall cause such application to be entered in a reply in the prescribed form (Reg. 6) and mark such application with a serial number and direct the officer in charge of the relevant register to make a search. The information, if obtainable, shall be given to the applicant in writing, signed by the official in charge of the register, within three days from the date of the receipt of the application. The information shall be sent by post, if necessary postal charges have been paid. In case such information cannot be given within three days, the Munsarim shall forthwith, on the expiration of the said period, report in writing to the Judge for his orders the cause of the non-compliance with the application. A printed copy of this rule in Hindi shall be kept posted on the notice board in a conspicuous place in every court and also in the office of every Munsarim.

After disposal of the application for search shall be posted in a file book in serial order. Each such file book shall be consigned to the record-room at the end of each calendar year.

196. *Obtaining information by means of written questions.*—It will also be open to a party to obtain information regarding any case by means of written questions. To an application for such information must be affixed for every question asked pertaining to the same case a court-fee label of [fifteen naya paisa], if the case is pending, and of [twenty five naya paisa], if the case is decided.

Note:—In no circumstance shall the right conferred by this rule be so exercised as to be in substitution of the method of obtaining more detailed information by an inspection of the record or by copies.

197. *Power of Presiding Officers to examine records.*—The Presiding Officer of a Court requiring to examine at his private residence a record of a case in his court, may take charge of such record. The official, in whose custody such record may be, shall enter in a register (Reg. 7), to be kept in the office for that purpose, a note describing the record so taken charge of by the officer, the date when the officer took charge of the record, and the date when the same was returned to the said official.

198. *Papers in office not open to inspection.*—The papers other than those of a judicial record shall not be open to inspection, except under an order in writing of the Presiding Officer made on an office report.

199. *Inspection of papers in office.*—No record or paper in the office or in the custody of an officer of the court shall be inspected by any person other than the Presiding Officer of the court, except under

an order in writing signed by the officer; provided firstly that the Presiding Officer may, in his discretion, without making a written order in that behalf, permit a party to a suit or his pleader to inspect in the court-room the record of a pending case on the day of hearing, and provided secondly that memorandum books of dates of hearing or peshi registers shall be made available for inspection free of charge, without any written application or order.

200. *Applications for inspection.*—Except in the cases mentioned in the provisos to rule 199, no order for the inspection of a record or of any paper in a record, or for the inspection of a book or register shall be made, except upon a written and duly stamped application; provided that no stamp shall be required in case of applications for inspection made on behalf of the Government.

201. *Applications for inspection by party to a suit.*—Any party to a suit, appeal or other proceeding in the court, and any such party's advocate, attorney or Vakil, who has filed a document in writing as required by Order III, rule 4 (1) of the Code may apply for an order to inspect the record, or any papers in such suit, appeal or other proceeding.

202. *Application for inspection by non-party.*—Any person, other than a person to whom rule 201 applies, may apply for an order for the inspection of a record or paper in a suit, appeal or other proceeding. No such person shall be entitled as of right to obtain an order for inspection, nor shall he, in any case, be allowed to inspect exhibits put in evidence except with the consent in writing of the person by whom they were produced or his successor in interest. Such consent shall invariably be filed along with the application for inspection.

203. *Form and fees for application.*—(1) Every application for inspection of record shall be in writing in the prescribed form (F. 17) and shall set forth:

- (a) the name and description of the applicant and his position (if any) in the suit or proceeding;
- (b) the following particulars concerning the record of which inspection is desired.—
 - (i) Number and year of case.
 - (ii) Name of court.
 - (iii) Title of case.
 - (iv) Date of disposal when the case has been disposed of, and date of hearing when the case is pending.

(2) The fees for the inspection of records shall be paid in court-fee labels in accordance with the following scale *viz.*—

- | | | |
|--------------|------|--------------------|
| (i) Ordinary | .... | [Fifty naya paisa] |
| (ii) Urgent | .... | One rupee. |

(3) Inspection on an ordinary application shall be allowed on the day following the date on which the application is made or on a subsequent day mentioned in the order.

(4) Inspection on an urgent application, shall as a rule, be allowed on the same day.

204. *Application for inspection by a party.*—Where a party to a case applies that any record, book or register, or set of books or registers, be sent for and inspected during the hearing of the case, the applicant shall, on the application being granted, pay into court a court fee stamp of the value of one rupee for each such record, book or register or set of books or registers. If for any reason, such record, book or register is not sent for inspection, the applicant shall be entitled to a refund of the inspection fee paid under this clause, less 6 nP. in a rupee, provided he applies for such refund within three months from the date of the order granting the application for inspection.

205. *Court-fee on inspection application for registers.*—The application for inspection referred to in Rules 201 to 204 shall have affixed to it Court Fee labels for each and every register or record sought to be inspected in accordance with Rules 203 and 204.

206. *Inspection of records by legal practitioners, clerks forbidden.*—Inspection of records by legal practitioners' clerks is not permitted. A registered (or recognised) clerk may be permitted to assist a legal practitioner in his inspection. Such clerk must, however, withdraw from the inspection room as soon as the legal practitioner ceases inspecting.

207. *Day and hours of inspection.*—(1) Every order for inspection shall specify the day on which such inspection may be made.

(2) Inspection on any one application shall be allowed for one day only between 12 noon to 3-0 p.m., or during morning hours from 8-0 a.m. to 10-30 a.m.

208. *Order for inspection.*—Every order for the inspection of a record or paper shall be sent to the Inspection Clerk and will entitle the person or persons named in such order, but not any other person or persons, to inspect the record or paper specified in the order between the hours fixed for such purpose by the Presiding Judge on the date named in the order, but on no other date. If no inspection is made on the date fixed, the application and the stamped paper shall be filed with the record and shall not entitle the applicant to inspect on any other date.

209. *Duty of Record-keeper.*—The record-keeper or the officer in charge of the record shall, on the day mentioned in the order required by rule 208, deliver to the Inspection Clerk the record or paper mentioned in the order, and shall receive an acknowledgment from the Inspection Clerk.

210. *Duty of Inspection Clerk.*—The Inspection Clerk shall, on the day of the inspection and immediately after the inspection

has begun, make on the order a memorandum showing the date on which the order has been complied with and shall; on that same day, at any hour to be fixed by the Presiding Judge, return to the official from whom he received it every record or paper and every order. Such official shall forthwith file every order which has been returned to him and shall not again issue for inspection on an order so filed any record or paper.

The inspection shall be made in the presence of the Inspection Clerk, who, before returning the file, shall examine the record and satisfy himself that all papers in the record are as they were before inspection.

211. *Inspection clerk to maintain inspection register.*—The Inspection Clerk shall keep an inspection register in the prescribed form (Reg 8.)

212. *Use of pen and ink during inspection prohibited.*—No person inspecting a record shall be allowed to bring into the room in which the inspection is made any pen or ink, nor to use any pen or ink; nor shall he be allowed to make any mark upon, or in any respect to mutilate, any record or paper which is being inspected.

N. B. The use of a fountain pen is also prohibited.

He may, if he so desires, make full copies in pencil of any papers that he is inspecting, (within the time allowed)

CHAPTER IX

Copies & Copying Department

A—Applications.

213. *Details necessary in application for copy.*—Every application for a copy shall be on the prescribed form (F. 18)* and shall set forth:—

- (1) the name and description of the applicant, and his position (if any) in the suit or proceeding, from the records of which the copy is asked for;
- (2) the description of the document** of which a copy is required;
- (3) the following particulars concerning the record from which the copy is sought:—
 - (i) Number and year of case;
 - (ii) Name of court;
 - (iii) Title of case; and
 - (iv) Date of disposal, when the case has been disposed; of and the date of hearing, when the case is pending;
- (4) Whether or not the application is 'urgent';

214. *Sending of a copy by post.*—If the applicant desires the copy to be sent by post, he shall also send—

*Foot Note.—The form can be obtained from licensed stamp vendors.

**Foot Note.—Document includes judgment, decree, order, pleading, paper or exhibit.

(1) a duly stamped and addressed post-card to enable him to be informed of the extra charges to be paid, if any, on his application for the copy, and,

(2) a duly stamped and addressed envelope for a sending the copies.

Note:—If the extra charges are not paid within 15 days from the date of issue of notice, the application for copy shall be rejected and addressed envelope shall be used for informing the applicant of the order of rejection of his application.

215. *Pleader's Clerk may apply for copy.*—An application for copy, duly signed by a pleader, may be presented by his registered clerk and the copy may be delivered to such clerk.

216. *Procedure for prisoner to apply for copies.*—An application for a copy by a prisoner, civil or criminal, may be made through the Superintendent of the jail or through a friend acting on the prisoner's behalf; in the latter case the application shall be sent to the Superintendent of the jail, to be attested by the prisoner, and if it be so attested, shall thereafter be treated as the prisoner's own application. The Superintendent of the jail shall be desired to note on the application whether the prisoner wishes the copy to be sent to the jail or to be delivered to the friend, if any, who applied for it.

B—Persons Entitled to Copies.

217. *Parties to suit.*—Except as hereinafter provided, any party to a suit, appeal, motion or proceeding may at any time obtain, upon an application, an order for a copy or copies of the record in such suit, appeal, motion or proceeding, or of any decree, order, pleading, paper, exhibit or document in such record; provided that a party who has been ordered to file a written statement shall not be entitled to inspect or take a copy of a written statement filed by another party until he has first filed his own.

218. *Stranger to suit.*—A stranger to a suit, appeal, motion or other proceeding may, after final decree or final order, obtain upon an application an order for a copy or copies of any decree, order, pleading, paper or document in the record, other than an exhibit and may, for sufficient reason shown to the satisfaction of the Judge, obtain upon application at any time before final decree or final order, an order from the Judge for a copy or copies of any decree, order, pleading, paper or other document in record other than an exhibit.

No order for a copy of an exhibit shall be made on the application of stranger to the suit, appeal, motion or proceeding in which such exhibit was produced unless along with the application is filed a properly authenticated consent, in writing, of the person who produced such exhibit to the granting of an order for the copy.

219. *Government and certain courts.*—Notwithstanding anything contained in these rules, a Judge may, upon application by or

on behalf of the Head of any department of the Government of India or the Head of any Department of the Government of any State in India, or any High Court in India, any authority in India exercising jurisdiction similar to a High Court, any court subordinate to the Rajasthan High Court, any principal Court in any foreign country, in his discretion, order a copy or copies to be made and delivered of any record; and such copy or copies may be made free of charge, unless they be required for the purpose of a litigant other than the Government.

220. *Government Law officer.*—(1) A copy of the original decree and of the appellate decree in a pauper suit or appeal shall, on application, be supplied to a Government Law Officer free of charge.

(2) In civil cases in which Government is a party, copies of judgments, orders and decrees, and of any other papers required for purposes of conducting the case shall be supplied free of charge to the Government Law Officer.

(3) A copy of the whole or any part of a record, when required for the purpose of conducting any trial or investigation or appeal on the part of Government in any Criminal Court, shall ordinarily on application, be supplied free of charge to a Government Law Officer or to any person authorized in this behalf by the Magistrate of the district; provided that, should the Presiding Judge be of opinion that the demand made is in excess of what is necessary for the purpose stated in the application for such copy or copies, he may refuse to grant free of charge any or all of the copies applied for, and in such case, he shall at once report his refusal, with the reasons therefor, to the High Court.

(4) A copy of an award or agreement made under the Land Acquisition Act shall, on application, be supplied free of charge to a person claiming under such award or agreement.

221. *Procedure on receipt of an application for a copy of record.*—(1) Every officer receiving an application for a copy of record shall:—

- (a) endorse or cause to be endorsed thereon the date of presentation,
- (b) initial the endorsement,
- (c) cause the court-fee stamp thereon to be cancelled according to law,
- (d) cause the application to be registered, and endorse thereon the serial number of its entry in the register.

(2) On the stamped sheets accompanying the application shall be entered only the date of the application and the register number.

(3) The Head Copyist shall promptly make proper entries in the register of applications for copies in the prescribed form (Reg. 9). The Head Copyist shall send the applications to the official in charge of the record required who will enter each in the appropriate column of the register, his signature and the date and

hour on which he received the application relating to him. The official in charge of the record shall without delay send such application, order and stamped paper and the record to the Head Copyist and shall take from the Head Copyist, in register in the prescribed form (Reg. 10) to be kept for the purpose, a receipt of the date and hour when such record was delivered to him; and the Head Copyist shall enter in the appropriate column of the register (Reg. 9) the date and hour on which he received the aforesaid record.

222. *Duties of Head Copyist.*—(1) As soon as the copy is made, the Head Copyist shall forthwith return the record, together with the application and order, to the official from whom he received them; and such official shall forthwith place such application and order in part D of the record.

(2) The Head Copyist shall, at the end of each working day, deposit in a locked box or almirah to be kept for that purpose in the record room, Nazir's room or other secure room allotted by the Presiding Officer all documents under copying.

(3) For the purpose of these rules, the District Judge for his own court and the Presiding Officers of other courts in which copying work is done, subject to the sanction of the District Judge, shall select from the establishment of the court a proper person to perform the duties of Head Copyist.

(4) If an application is rejected, the Head Copyist shall at once return to the applicant the stamped paper which accompanied the application and take his receipt for the same in the register (Reg. 9). In case the applicant is a pleader, the unused stamp paper may be returned to his registered clerk.

(5) If the applicant be not present, the Head Copyist shall inform him by post of the fact and direct him to appear without delay and take back the stamped sheets forwarded by him with his application provided that he has previously sent a duly stamped addressed envelope. When the applicant requests that the unused folios may be returned to his pleader, they may be returned to the pleader or his registered clerk. If the pleader practises at the headquarters station, the unused folios shall be returned to him or his registered clerk and his signature taken. If he practises at an out-lying court, the unused folios may be returned to the out-lying Munsifiat applicant's expense. The correspondence with the out-lying court shall be filed with the record of the suit to which the original application for copy belongs.

(6) The Head Copyist before returning any stamped sheets shall endorse each sheet with the words "returned unused to" (being the applicant) and initial them.

(7) Stamped sheets so returned may be used by the applicant in a subsequent application for copies.

(8) If the applicant does not appear within thirty days of the date on which the letter was sent to him under paragraph (5) or in

the case of an applicant who has not sent a duly stamped addressed envelope, within 30 days of the date on which the application was rejected, the Head Copyist shall render useless the stamped sheets by folding them down the middle vertically, tearing off the right half of each sheet, destroying it and causing the left half on which is entered the date and number to be filed in the record along with the application. An entry of the fact of destruction shall be made in the register of copies (Reg. 9) against the application.

C.—Copying Fees

223. *Copies to be made on stamped paper provided by applicant.*—(1) Except for the use of the court, or in a case falling within rules 219, 220 & 226, no copy of any record or of any part thereof, or of any decree, order, proceeding, paper or other document in any record, shall be made, except on stamped paper provided by the person who has obtained an order for the copy.

(2) If necessary stamped paper is not available, judicial water-marked paper with adhesive stamp of the requisite-value may be provided instead.

224. *Scale of copying charges.*—The following shall ordinarily be the scale of charges for copies :—

(1) For copies containing 400 words or less :

(i) In the courts of the District Judge, Civil Judge and Munsif.

	Judgment	Deposition	Decree	Any other paper except book, register, map or plan etc., or any extract thereof or documents mentioned in rule 226.
	Rs. nP.	Rs. nP.	Rs. nP.	Rs. nP.
Ordinary copy.....	1 0 0	1 0 0	1 0 0	1 0 0
Urgent.... copy.....	2 0 0	2 0 0	2 0 0	2 0 0

(ii) In the Courts of Small Causes :—

	Judgment	Deposition	Decree	Any other paper except book, register, map or plan etc., or any extract thereof or documents mentioned in rule 226.
	Rs. nP.	Rs. nP.	Rs. nP.	Rs. nP.
Ordinary copy.....	0 7 5	0 7 5	0 7 5	0 7 5
Urgent copy.....	1 5 0	1 5 0	1 5 0	1 5 0

- (2) (i) For a copy, ordinary or urgent, containing more than 400 words but not more than 1200 words :—

For 400 words the charge shall be the same as detailed above and for every subsequent 100 words or less an extra charge of 25 nP. & 50 nP. respectively shall be made :—

- (ii) For a copy, ordinary or urgent, containing more than 1200 words but not more than 2400 words :—

For 1200 words the charge shall be as indicated above and for every subsequent 100 words or less an extra charge of 20 nP. & 40 nP. respectively shall be made.

- (iii) For a copy, ordinary or urgent, containing more than 2400 words :—

For 2400 words the charge shall be as indicated above and for every subsequent 100 words or less an extra charge of 15 nP. & 25 nP. respectively shall be made.

In cases in which an applicant desires to have uncertified copies of judgments and statements etc; recorded on typewriter, carbon copies may be supplied at half the prescribed rates of the papers (statement and judgments etc.) which are typed when originally prepared, provided firstly that an application for copy is made well in advance of the typing out of the paper and secondly that extra carbon copies can be conveniently prepared at the time when the original paper is typed.

Note.—(1) If the order Sheet contains a Judgment of the Court a separate fee is chargeable for a copy of that Judgment as given in the Rules.

(2) Copying fee is not to be charged for each order on the order sheet but a copy of the order sheet is to be furnished as that of any other paper, except a book, register map or plan or an extract thereof.

225. *Use of stamped sheet for copy.*—(1) Except in the case of an application for a copy of a book, register, map or plan, or any extract thereof, every application for a copy for which a charge is to be made, shall be accompanied by a sheet or sheets of stamped copying paper equal in value to the scheduled charges for the copy of the document in the preceding rule. If, upon any sheet or sheets so supplied, no part of the copy be written, the Head Copyist shall make and sign upon such sheet or upon each of such sheets, as the case may be, an endorsement to the following effect, filling up the blanks :—

'This sheet was used in application.

No.

Dated

If the whole of the copy cannot be made upon the sheet or sheets supplied, the remainder shall be written upon foolscap paper of durable texture, supplied from the stationery allowance. Each sheet of the copy, including every sheet supplied, shall be stamped with the stamp of the court and serially numbered by the Head Copyist.

(2) If the application is not accompanied by a sheet or sheets of stamped copying paper of the minimum value of Rs. 1/- (75 nP. in case of copies of records of courts of small causes), it shall not be admitted.

(3) If the application is accompanied by a sheet or sheets of not less than the minimum value as stated in the preceding sub-rule, but the copying fees leviable are found to be in excess of the value of the sheet or sheets thus filed, the applicant shall be called upon to make up the deficiency within a time to be fixed for the purpose. If the deficiency is not so made up, the application shall be rejected.

(4) The Notice to an applicant indicated in sub-rule (3) may be given by means of a notice in the prescribed form (F. 19) affixed on the notice board of the court.

226. *Copies of maps plans, etc.*—When an application is made for a copy of a book, register, map or plan or any extract thereof, or for a copy of a paper not in the language of the court, a photograph or the like, whether forming part of a decree or not, which the regular copying staff cannot prepare or for a copy of a decree which, owing to its length or complexity, cannot reasonably, in the opinion of the Judge, be prepared by the regular copying staff for the fixed charge in rule 224, an estimate shall be prepared under the orders of the Judge, and when prepared, shall be laid before him for sanction.

The particulars of the estimate as sanctioned shall be entered in the prescribed form (F. 20), the signature of the Judge shall be obtained in column 9 of the form and the amount of the estimate as sanctioned shall be communicated to the applicant. Upon payment of such amount being made by the applicant (in copy folios to the value of the sanctioned estimate) the Presiding Officer of the court shall arrange, if possible, for a copy to be made thereof and compared with the original by such special copyists as are forthcoming within his jurisdiction and may, in his opinion, be relied upon for the purpose. If no such persons are forthcoming, he may send such document together with a copy of this rule to a court in an other district or State where such special copyists are available with a request that such court have the copy made. Any necessary charges incurred over and above the estimated amount shall be borne by the applicant. If payment is not made within a week of the communication of the estimate to the applicant, the application shall be dismissed.

The Head Copyist shall keep a register in the prescribed Form (Reg. 11) of the sanctioned estimates of copying charges for copies of books, registers, maps or plans or extracts thereof.

The special copyist appointed for such purposes shall be paid his fee from the amount deposited (in cash) by the applicant, from which deposit the cost of material, if any, required for the preparation of the copy of map, plan etc. shall also be defrayed.

227. *Signing, examination and certification of copies.*—When a copy has been made, it shall be signed by the person who made it; and it shall be examined, corrected, if necessary and certi-

fied to be true copy by the Head Copyist. If the copy was made by the Head Copyist or the Head Copyist is unable to certify, it shall be examined, corrected, if necessary, and certified to be a true copy by some other person selected by the Presiding Judge for that purpose.

No copy of a document shall be so certified to be a true copy unless it shows correctly number of words therein, and also the value of the stamps, if any, in the original document.

No copy shall be delivered to an applicant until it has been examined and certified, in the manner stated above, and countersigned by the officer-in-charge.

228. *Heading on Copies.*—Every copy shall commence with a heading in the following form:—

Certified copy of (description of paper copied) in (title of case)
 $\frac{\text{suit}}{\text{appeal}}$ No. (Number) of (year) in the court of (name of the court) at
 (place), $\frac{\text{decided}}{\text{pending}}$ on (date).

229. *Endorsement on a copy.*—Every copy shall bear an endorsement showing the following particulars:—

- (a) the number of the application on the register and the year,
- (b) the date of the presentation of application,
- (c) number of words copied,
- (d) amount of copying fees,
- (e) name of copyist,
- (f) date fixed for issue of copy,
- (g) date on which copy was ready,
- (h) date of issue of notice to applicant, (if issued),
- (i) date of deliver/posting.

230. *A register of applications for copies disposed of.*—A register of applications for copies disposed of shall be maintained in the prescribed form (Reg. 12). All copies issued and all applications disposed of without issue of copies shall be entered in this register.

231. *Order of compliance with applications.*—Orders made on urgent applications shall have priority over all orders made on ordinary applications. Orders made on applications shall have strict priority amongst themselves according to the date and serial number of the order. Any departure from this rule shall be at once reported to the Judge with the reasons for such departure and the fact of such departure shall be attested by the Judge's initials against the entry in register of applications for copies relating to the applications exceptionally treated.

232. *Urgent Copies.*—A copy for which an order has been made on an urgent application shall be delivered as a rule, not later than the working day next after the day on which the order was made.

233. *Ordinary Copies.*—A copy for which an order has been made on an ordinary application shall be delivered as a rule, not later than a week after the day on which the order was made.

234. *Date for delivery of a copy.*—A definite date not ordinarily exceeding seven days ahead shall be fixed for the delivery of the copy and intimated to the applicant. The copy, as far as possible, shall be delivered on the date so fixed.

If for any reason, the copy is not ready for delivery on the date so fixed, the applicant shall be directed to attend on another date, when the copy may be expected to be ready for delivery.

If the copy is not ready and the applicant does not appear on the date fixed, notice of the next date fixed for the delivery of copy shall be sent to him by post, if he has deposited the necessary postal charges. If necessary postal charges have not been deposited, it shall be affixed on the notice board of the court.

235. *Delivery of a copy when ready.*—When a copy is ready, and the applicant or his authorised agent is present, the copy shall be given to him. If the applicant or his authorised agent is not present, a notice over the signature of the head of office shall be affixed to the notice board notifying that the copy is ready for delivery. If from the date of the fixing of the notice, the applicant appears within three months, the copy shall be delivered to him. If the applicant does not appear within this period, the copy shall be destroyed under the order of the Presiding Officer, an entry to that effect being made in the remarks column in the register of copying applications (Reg. 9.)

236. *Copies prohibited.*—Except for special reasons to be noted by the Presiding Judge upon the back of the application, no copy shall be granted (1) of official correspondence and reports and (2) of a document which is itself a copy.

237. *A copy of a copy may only be granted if the original document is not traceable.*—A copy of a copy may only be granted, if the original document is not traceable, or is not accessible to the applicant for the purpose of obtaining a copy. Each page of such copy shall bear in red ink, the remarks that it is a copy of a copy.

238. *Application to subordinate court when record is to go to head quarters.*—If an application for a copy be made in any subordinate court, the Presiding Judge or Munsarim, as the case may be, may decline to grant a copy from a record which will, within three days, be required for transmission to a superior court or to the Record Room and in such case the date of the application and the fact and date of such refusal shall be endorsed upon the application, and shall be signed by such judge or Munsarim, and the application shall be returned to the applicant with instructions to present it in the court concerned.

If an application so returned be subsequently presented in the superior court or the court to which the record room is attached, the Munsarim or the Head Copyist shall endorse thereon the date of the presentation in such court.

239. *Difficulty to be referred to Judge*—In case any difficulty arises in complying with an order for a copy, the application and order, together with an office report shall be forthwith laid before the Presiding Judge for orders.

240. *Standard of work for Copyists*.—It shall be the duty of the Head Copyist to see that every copyist is fully employed during court working hours or during such longer time as the Judge may direct, that he is constantly at work during such time, and his work comes up to the standard noted in rule 241. The Head Copyist shall himself carry out so much copying as the Presiding Officer of the court may consider practicable with reference to the Head Copyist's other duties.

241. *Standard of work for typists and copyists*.—The following standard of work is fixed for typists and copyists:—

English Typists	....	Four thousand words per day.
English Copyist	...	Two Thousand five hundred words per day.
Hindi Copyist	...	Two thousand five hundred words per day.

242. *Register of out-turn of copyists*.—A register in the prescribed form (Reg. I3) shall be maintained by all Head-Copyists in which a note of the words copied by each copyist shall be kept and average shall be worked out weekly.

243. *District Judge to be informed when work increases for copyists*.—If, in any court, copying work increases so much that the existing staff of copyists cannot copy with it, the Head Copyist shall at once report to the District Judge, in the case of the court of the District Judge, through the Munsarim of that court, and in the case of any other court, through the Presiding Officer of the court. The District Judge shall ascertain whether any increase of establishment is necessary; and if an increase be necessary in his opinion, he shall report the matter for the orders of the High Court.

244. *District Judge to be informed when work not sufficient for copyists*.—If, in any court, copying work falls off so that every copyist cannot be fully employed, the Head Copyist shall at once report to the District Judge, in the case of the Court of the District Judge, through the Munsarim of that Court and in the case of any other court, through the Presiding Officer of the court; and if during any quarter of the year, the actual receipts in any court on account of copying work fall below the disbursements, the Presiding Judge of such court or the Munsarim in the court of the District Judge shall report the matter on or before the fifteenth day of the first month of the next quarter, to the District Judge for orders.

The District Judge shall thereupon hold in abeyance fresh appointment to his clerical establishment till such time as he considers necessary.

CHAPTER X.

Civil Courts Accounts.

245. *Account with the Treasury.*—Subject to the provisions of the following rule, every civil court shall have a separate account with the Treasury.

246. (1) *A number of Courts may have a single account with the Treasury under the orders of the High court.*—The High Court may order with respect to any civil courts located at the same station, that they shall have a single account with the Treasury.

(2) When an order has been made under subrule (1), the Presiding Officer of the highest court shall keep and render the accounts of all the courts to which the order refers:

Provided that (subject to any instructions of the District Judge) he may place the Presiding Officer of any other court in charge of accounts without relieving himself of the responsibilities for the due accounting of all receipts and payments.

247. (1) *Appointment of a Receiving officer and performance of duties of a Munsarim by a reader.*—Every civil Court, or where two or more courts have a single account with the Treasury, every such group of courts, shall have an official entrusted with the receipt of money deposited in the court.

Such official is called in these rules as the Receiving Officer.

In a court where no official is appointed specifically to perform the duties of the Receiving Officer or during the absence on leave or otherwise of the person appointed as the Receiving Officer, the Presiding Officer of the court shall appoint any other official of his court to carry on the duties of the Receiving Officer.

(2) Munsarim means the Chief Ministerial Officer of the court.

In courts where there is no official designated as 'Munsarim', the Reader of the court shall perform the duties of the Munsarim.

248. *Heads of account.*—The following are the heads of account under which the money received and paid under these rules is classified:—

(1) Deposits:

(a) Civil Courts deposits, including:

- (i) Sums paid under decrees and orders.
- (ii) Sums deposited under Order XX, rule 14, and Order XXIV, rule 1 of the Civil Procedure Code and Section 83 of the Transfer of Property Act.
- (iii) Sums deposited under Order XXI, rule 84 or paid under Order XXI, rule 85 of the Code.
Sums deposited under section 379 (1) of the Indian Succession Act.

- (v) Sums deposited in lieu of the security.
 - (vi) sums deposited under the Land Acquisition Act.
 - (b) Petty Cash Accounts, including:
 - (i) travelling and other expenses of witnesses.
 - (ii) Subsistence money for judgment-debtors.
 - (iii) Incidental charges of commissions, amins and arbitrators etc.
 - (iv) Commission fees.
 - (v) Postage and registration fees.
 - (vi) Cost of publication of proclamations and orders.
 - (2) Revenue Receipts including,
 - (i) Sale proceeds of unclaimed and escheated property.
 - (ii) Court-fees realised in cash. (Includes Process-Servers and amins fees recoveries on account of pauper suits).
 - (iii) General fees, fines and forfeitures.
 - (iv) Miscellaneous fees and fines: (Includes cash receipts of record rooms in offices, the charges whereof are debitable to Administration of Justice, fees received by Government Officers for performing duties as notaries public; fees or expenses deposited in the Civil and Criminal Courts for the travelling and subsistence allowance of Government servants when summoned to give evidence in their official capacity in criminal cases or in civil cases to which Government is a party and fees and commissions of the Administrator General and the Official Trustees).
 - (v) Miscellaneous.
 - (vi) Recoveries of over-payments.
 - (vii) Collection of payments for service rendered.
- Deduct—Refunds*
- (viii) Stamp duties and penalties.

Note:—Sub-head (viii) is classified in the State Accounts under the Major-Head "IX Stamps" and Sub-Head (i) to (vii) under the Major Head "XXI Administration of Justice" of which they form minor heads.

- (3) Departmental Cash, including:—
 - (i) Salary of establishment.
 - (ii) Travelling Allowance.
 - (iii) Contingencies.

Notes

Particulars of deposits under different Statutory provisions as referred in this rule are as under:—

- (1) Order 20 Rule 14—Payment in pursuance of decree in pre-emption suit.
- (2) Order 24 Rule 1—Deposit by defendant of amount in Satisfaction of claim.
- (3) Section 83 of the Transfer of Property Act—Payment of money due on Mortgage
- (4) Order 21 Rule 84—Deposit by purchaser on sale of immovable property.
- (5) Order 21 Rule 85—Payment in full of purchase money on Sale of immovable property.

(6) Sub-section (1) of section 379 of the Indian Succession Act—Payment of Court fee on every application for a succession certificate or its extension.

249. *Use of international form of Indian numerals.*—In the maintenance and preparation of accounts and in the submission of statements relating to accounts international form of Indian numerals shall be used.

250. *Deposits in Cash.*—Direct receipts of money which fall under Head of Account (1) (a) of rule 248 shall, as far as possible, be avoided by Courts.

Cash, however, must be received when tendered under Head of Account (1) (a) in the following cases:—

- (1) When the court is over 5 miles from the nearest Treasury.
- (2) When the money is payable into court under any of the sections following, namely, section 55, Order XX, rules 11 and 14, and Order XXI, rules 84 and 85 and section 379 (1) of Act XXXIX of 1925, and is tendered after the hour prescribed in rule 252.
- (3) When the proceeds of movable property, sold in execution through the Officer of a civil court, under Order XXI, rule 77 cannot be paid into the Treasury on the day of sale.

Repayments of money falling under Head of Account (1) (a) shall be made through the Treasury.

- (4) When the amount of money tendered does not exceed Rs. 15/-.

251. *Deposits in cash.*—Money shall be received and cash payment made under Head of Account (1) (b) by the Receiving Officer as hereinafter provided.

252. *Time for receipt of deposits.*—The time during which cash payable into court may be received is from the opening of the court until a time which shall, except as hereinafter provided, be one hour in advance of the time fixed for the closing to the public of the Treasury; and the accounts for the day shall then be made up. But even after this hour, cash payable under Head of Account (1) (a) must be received in the cases noticed in rule 250; such transactions shall be entered in the accounts bearing date the next open day; but the receipts given to the payer shall also show (as a denominator) the actual date of payment, *e.g.*, November 7/6; provided that the District Judge, having regard to local circumstances, may prescribe the hours during which money may be received in any court within his jurisdiction.

253. *Registers.*—The following registers shall be kept by the Receiving Officer of each Court:—

- (1) Register of Receipts of Deposits (Reg. 14).
- (2) Register of Re-payment of Deposits (Reg. 15).
- (3) Register of Petty Receipts and Repayments (Register 16).

- (4) Register of Applications for Repayment Order (Register 17)
- (5) Register of Applications for lapsed deposits (Register 18).
- (6) Deposit Cash Book (Subsidiary) (Reg. 19).
- (7) Register of Revenue Receipts (Reg. 20).
- (8) Register of money Orders Received (Reg. 21).
- (8-A) Register of payments made by Postal Money Order/
Bank draft (21 A).
- (9) Register of Tenders (Reg. 22).
- (10) Pass Book (Reg. 23).
- (11) Acquittance Rolls (Reg. 24).
- (12) Cash Book (General) (Reg. 25).
- (13) Register of Contingencies (Reg. 26).
- (14) Register of Salary Bills (Reg. 27),
- (15) Register of T. A. Bills (Reg. 28).
- (16) Register of Invoices (Reg. 29).

254. *Erasures prohibited.*—No erasures shall be allowed in any register, book or extract kept under these rules; where an alteration is necessary, the original figures shall be crossed out and the correct figures placed above them in red ink and initialled by the Presiding Judge.

255. *Made of payment of money into court.*—Payment of money into court shall ordinarily be made by means of a tender upon a printed triplicate form. The applicants shall enter in the court language the particulars required in columns 1 to 4 of the triplicate Form of Tender (F. 21). The applicant shall then hand the tender to the Munsarim or clerk of the court.

256. *Office report by the official in charge of the record.*—The Munsarim shall then call upon the official in charge of the record of the case for an office report as to whether the amount and nature of the payment tendered and the number of the suit, if any, are correct, and whether the payment is due from the person on whose account it is tendered. Any necessary corrections shall be made, and the Munsarim shall then sign the tender and enter it in the Register of Chalanis prior to the order for receipt of payment being passed.

257. *Preparation of the order for payment.*—The order to receive payment shall be prepared in the office of the court and shall be enfaced upon the duplicate and triplicate forms of the tender, and shall run in the name of the Treasury or Receiving Officer as prescribed in rules 250, 251 and 252. The order shall be signed by the Presiding Judge for all amounts payable under Head of Account (1) (a) and (2) and by the Munsarim for all amounts payable under Head of Account (1) (b). The original Tender shall be retained, in safe custody by the Munsarim, the duplicate and triplicate forms being returned to the applicant for presentation and payment of the money to the Officer named in the order endorsed thereon.

258. *Munsarim's responsibility to prevent unnecessary delay.*—

The Munsarim shall be responsible that no unnecessary delay occurs in obtaining the office report and the order to receive payment and in returning the duplicate and triplicate forms of tender to the applicant.

259. *Procedure on presentation of the tender forms.*—

On presentation of the two tender forms and on payment of the money to the Officer named in the Court's order to receive payment, the applicant shall receive as an acknowledgment one of the forms of tender duly signed; and the other form shall be retained as a voucher by the Treasury or Receiving Officer and pasted in a file-book.

260. *Pass-book and Register of Petty Receipts.*—

Every receipt of money under these rules by the Receiving Officer shall be forthwith entered by him:

- (1) in the Pass-book, if the item falls under Head of Account (1) (a) or (2) and in the Register of Petty Deposits, if the item falls under Head of Account (1) (b).

261. *Remittance of receipts to the Treasury.*—

The sums entered in the passbook shall as soon as possible after the time for receiving money under rule 252 has expired be forwarded on the day of receipt to the Treasury, together with the Pass-book and challan, showing the several classes of receipts in their appropriate columns.* The challan shall be then retained by the Treasury Officer, who shall return the Pass-book with his acknowledgment thereon of receipt of the remittance: Provided that when there is no Sub-Treasury in the same town as an outlying Munsifi, remittances of cash from such Munsifi to the Treasury, accompanied by the Pass-book, shall be made twice in the week instead of daily.

262. *Remittance by Money Order or letter.*—

(1) When money is sent to a civil court by a money-order or under cover of a letter, the procedure shall be as follows.

The money order or letter, and the amount sent shall be received by the Munsarim and shall be laid before the Presiding Judge; and an acknowledgment under his signature shall be given to the sender. If the money-order or letter cover only a single sum for deposit, it shall be filed as an original.

Tender with the record of the case. If the money-order or letter cover more sums than one for deposit, the coupon or letter

*Note—Pound-rent payable under the rules shall be entered in the Register of Petty Receipts and Repayments. When the attaching Officer has reported that the live-stock attached has been committed to the custody of the pound-keeper, the sum shall be forwarded under the Pass-book to the Treasury, and a note that it is being sent to the Magistrate of the district under Order XXI, rule 118, as rent for the use of the pound, shall be recorded upon the extract from the Pass-book. The amount shall then be entered on the payment side of the Register of Petty Receipts and Repayments.

shall be filed in a separate file of Tenders by Letter. For each item a triplicate form of tender shall be prepared in the office, a reference being made in column 1 to the original letter. The procedure laid down in the preceding rules shall then be followed, save that such sums shall in all cases be made payable to the court's Receiving Officer. The Munsarim shall keep a register (Reg. 21) for the entry of money received by money order.

(2) In outlying courts, the Munsarim (or the person acting in his place) for the period the courts are closed for the civil court vacation shall receive all money-orders, sign acknowledgments for the same and do other acts, which under the preceding rule are ordinarily done by a Presiding Judge. The work of the Munsarim done under this rule shall be checked and reported to the District Judge within a week by each Presiding Officer on the reopening of the courts after the vacation.

263. *Advice List.*—Every receipt of deposit, either direct or by transfer, at the Treasury, shall be recorded in an Advice List (F. 22), which shall be forwarded at the close of the day (or where the Treasury banks with a Bank, as soon thereafter as possible) to the Receiving Officer of the court concerned. The Advice List when received shall be filed in a book kept for the purpose.

Items received under cover of the Receiving Officer's Pass-book shall be entered in a lump sum in the Treasury Advice List.

264. *Correspondence between Court and Treasury Accounts.*—At the close of the day, the Munsarim shall take his Original Tenders to the Receiving Officer and shall compare them with the Advice List received from the Treasury and with the Receiving Officer's Register of Petty Receipts and Repayments and Pass-book. When money has been deposited, the Receiving Officer shall certify such receipt in the Register of Chalang and upon the Original Tender, giving the number of the register, the court number and the general or serial number and the date. The Munsarim shall then countersign the Receiving Officer's certificate, at the foot of the Original Tender and cause the original tender to be filed with the record to which it relates.

265. *Entry of Receipts under heads of Account (1) and (2).*—Receipts under Head of Account (1) (a) shall be entered in the Register of Receipts of Deposits. Receipts under Head of Account (2) shall be entered in the Register of Revenue Receipts.

RE-PAYMENTS

266. *Repayment of petty receipts.*—The repayment of sums entered in the Register of Petty Receipts and Repayments shall be made by the Receiving Officer upon his own responsibility, the signature of the recipient being taken when practicable in column 15.

Un-expended items shall be returned direct to the Receiving Officer, who shall then enter them upon the receipt side, the name

of the process-server or other person returning the items being entered in column 4 and a reference to the original serial number of receipt being given in column 6 thus: "Unexpended balance of receipt, serial No. 432". Repayment of such unexpended items provided they have not been remitted to the Treasury as miscellaneous deposits (see rule 293) may be made by the Receiving Officer direct to the original payer or his duly empowered attorney either upon signature of the recipient being given in column 15, or by means of a postal money-order where repayment has not been so made. Where money is remitted by money-order, the number and date of the money-order receipt shall be entered in column 5.

At the end of each week, the Receiving Officer of every court shall ascertain what balances of moneys deposited and entered in the Register of Petty Receipts and Repayments are due and became repayable during the preceding week, and shall enter a minute in respect of each such balance in a list in the prescribed form (F. 23), which list shall be affixed to the notice-board in a conspicuous part of the court-house.

267. *Repayment of other than petty items.*—No repayment of any other sum shall be made except (1) upon an application in the prescribed form (F. 24) bearing an office report and the courts orders thereon, or (2) upon an office report bearing such orders. Every such application shall be signed by the person to whom the money is due and payable and his signature shall be witness. No application except on the prescribed form (F. 24) shall be received by a court.

268. *Repayment of other than petty items.*—Before the form of application for repayment is signed by the person to whom the money is due and payable, columns 1 to 4 shall be filled up. The form shall then be presented to the Munsarim of the court by which the money is held in deposit. The application shall bear the court-fee, if any, prescribed by law and shall be entered in a register to be maintained for the purpose.

If the person to whom the money is due and payable appears in person to receive the money and is not personally known to the Presiding Judge, no order for payment shall be made until he has been identified by a pleader or other person known to such Judge. If the person to whom the money is due and payable does not appear in person, no order for payment shall be made unless and until the Presiding Judge is satisfied by affidavit or otherwise that the person asking for payment has been duly authorized by the person to whom it is due and payable by an instrument in writing to receive the money.

269. *Repayment applications to be compared with regard to case.*—If the record has not been sent to the record-room, the Munsarim shall cause the application for repayment to be compared with the record of the case, and a report shall be made in columns 5, 6,

and 7 of the form of application and shall be signed by the Munsarim. If the application be found to be incorrect or defective, the defect or error shall be noted upon it, and it shall be returned to the applicant for correction by him or for reference by him to the court.

270. *When the record is in Record Room.*—If the record of the case has been despatched to the record-room, the Munsarim shall forward the application to the record-keeper who shall certify the particulars required in columns 5 to 7 of the form of application and shall sign the same.

If the record of the case has been despatched to the High Court or other appellate Court, the Munsarim shall forward the application to such court giving reference to the case in connection with which the record has been sent. On receipt of such application in the High Court or other appellate court, the Munsarim concerned shall certify, under his signature, the particulars required in columns 5 to 7 of the form of application and shall forthwith return it to the court which forwarded it.

271. *Receiving Officer's Report.*—The Receiving Officer of the court to which application is made shall then report as to the particulars required in column 8 of the form of application and shall sign the same. The Receiving Officer before making his report shall carefully ascertain whether or not there is any attachment or stop-order affecting the money.

272. *Order of Presiding Judge.*—The application shall then be laid before the Presiding Judge for his order, and if the order be one for repayment, the amount to be repaid shall be entered in figures upon the form of application by the Presiding Judge in his own hand-writing.

273. *Repayment Order.*—The repayment order shall be prepared in the prescribed form (F. 25). The Presiding Judge shall himself enter in figures, in the space provided above his signature both on the order itself and on the counterfoil, the amount of repayment ordered by him.

During the months of January, February and March, all repayment orders, issued for the payment of items, which would lapse under rules 294 and 295 on 31st March following, shall have an entry made thereon in red-ink at the top "Not to be cashed after 31st March, 19....."

274. *Repayment forms.*—Forms for the repayment of civil court deposits will be supplied by the Treasury Officers in book forms, each form bearing a printed serial number.

275. *Procedure on transfer of the Officer.*—Any Judicial Officer who leaves a court shall transfer his Repayment Order-Book to the Officer to whom he gives over charge. The latter shall give a receipt for it in the prescribed form (F. 26) which shall be transmitted to the Treasury Officer.

276. *Specimen signature.*—A specimen of the signature of the drawing officer shall be sent to the Treasury.

277. *Delivery of Repayment Order to applicant.*—The repayment order when prepared shall be made over to the applicant for presentation at the Treasury, the number of the order being entered in column 10 of the form of application, and a receipt for the order being taken from the applicant at the foot of the form of application, and upon the counterfoil of the order,

When the entry has been made in column 10 of the form of application and the applicant's receipt has been taken, the munsarim shall cause an entry of the order to be made in the Register of Repayment of Deposits, and in the appropriate columns of the Register of Receipts of Deposits (Reg 14) against the item or items in respect of which the repayment order has been issued.

278. *Duty of Munsarim.*—The Munsarim shall be responsible that no unnecessary delay occurs in obtaining the necessary report, and in preparing the repayment order and delivering the same to the applicant.

Presiding Officers shall inspect every week the Register of Refund Applications and require an explanation in any case in which the order for repayment was passed with undue delay. Four days from the date of application if the record of the case was in the same station as the court and 10 days if the record was in another station should ordinarily suffice for the disposal of an application for refund of Deposit.

279. *Lapse of repayment order.*—Should the repayment order not be presented within three months from its date or, in the case mentioned in the Second paragraph of rule 273, before 1st April of that year, encashment of it shall be refused; and a fresh application, accompanied by a return of the order, will be required.

When a fresh Repayment Order may be issued.—On receipt of such application or when for any reason the repayment order has not been handed over within three months, the counter-foil of the repayment order shall be enfaced with the word "cancelled" written in red ink and initialed by the Presiding Judge, and the original repayment order shall be destroyed. A fresh order shall then issue, a note of the fact being made upon the counter-foil of the original order.

In the case of a repayment order which has been issued for the payment of an item which would lapse under Rules 294 and 295, on 31st March following but has not been cashed by the 31st March, a refund application (F. 29) for sanction of the Accountant General will be necessary. The fact of the item having lapsed should in such cases be noted on the counter foil of the original order.

When a repayment order is lost, no fresh order for repayment shall be made until the period of validity of the previous order has

expired and a certificate of non-payment in the prescribed form (F. 27) shall be obtained by the court from the Treasury, before a fresh order is issued.

280. *Advice List.*—Every repayment and transfer from Civil Court deposits made by the Treasury under these rules shall be recorded in the daily Advice List forwarded at the close of the day to the Receiving Officer.

281. *Entries after receipt of Advice List.*—On receipt of such Advice List, an entry shall be made in the appropriate columns of the Register of Repayment of Deposits (Reg. 15).

282. *Application for repayments to be filed with case.*—When the repayment or transfer has been so advised and entered, the Receiving Officer shall endorse the fact of repayment upon the form of application, which shall then be filed with the record to which the repayment relates.

283. *Exclusion from Accounts of direct payments by one to another party.*—Moneys paid by one party to another in court but not through an Officer of the court shall not be entered in the court's registers of accounts. When money is to be paid by one person to another and both are present in court, the money may be passed direct from the one to the other under the sanction of the Presiding Judge, the fact being noted in the record of the case. In case of payment of sums exceeding Rs. 20, the Judge shall have a receipt in the prescribed form (F. 28) executed in his presence, a copy of which shall be filed with the record of the case*. The payee, when not personally known to the Presiding Judge, shall be identified by some one who is so known. Care must be taken in these cases that no Officer of the court receives or becomes in any way responsible for the money.

284. *Initialling of Registers by Munsarim and Judge.*—Each entry in Registers of Receipts and Repayments of Deposits shall be initialled by the Munsarim and the Presiding Judge of the court ordering receipt or repayment.

Each entry in the Register of Petty Receipts and Repayments, and in the Register of Revenue Receipts shall be initialled by the Munsarim and the daily totals shall be initialled by the Presiding Judge.

285. *Cash Book.*—(1) All receipts and repayments under head 1. (a) shall be entered in the Deposit Cash Book.

(2) The daily totals of receipts and repayments under head 1 (b) shall be entered in the Deposit Cash Book from the Register of Petty Receipts.

(3) The daily totals of the Deposit Cash Book shall be entered in the General Cash Book.

*This procedure may be conveniently followed in cases of payment of decretal amounts by judgment-debtors to decree holders or their counsel, and when costs of the day are allowed by the court.

286. *Original vouchers to be produced before the Judge.*—In laying the registers before the Presiding Judge of each court, the Receiving Officer shall produce the original orders as vouchers to enable the Judge to satisfy himself of the correctness of each entry.

All registers shall be compared with the Cash-Book and signed by the Presiding Judge daily. At the time of signing the registers he shall see—

- (1) That the daily totals of registers have been properly carried to the cash-book, as required by rule 285.
- (2) That regarding receipts, entries in the Register of Receipts are supported by the Treasury Advice List, and regarding repayments, items in the Treasury Advice List are duly entered in appropriate columns of the Register of Repayments (Reg. 15).
- (3) That the items in the Register of Repayments of Deposits have been properly written off in the Register of Receipts of Deposits.
- (4) That the repayment from any deposit does not exceed the available balance.
- (5) That, when deposits have lapsed to Government, they have been properly marked off in the Register of Receipts of Deposits and debited in the cash-book.

Tallying Accounts.

287. Deleted. 1-1-55

288. *Monthly Accounts to be submitted by subordinate courts.*—Every subordinate Court shall forward to the District Court:—

- (1) A monthly extract from the Register of Receipts of Deposits (Ret. 5)
- (2) A monthly extract from the Register of Repayments of Deposits (Ret. 6).
- (3) A plus and minus memorandum for the month (Ret. 7).

At the foot of the monthly extracts, the Presiding Judge shall record and sign a certificate in the following term:—

“I certify that I have personally carefully examined the Register of Receipts/Repayments of Deposits and that the entries are made there in with care and regularity”.

These three monthly returns shall reach the District Judge not later than the 7th of the month following that to which they refer.

289. *Entries in the deposit register.*—(1) No item shall be entered as received in the Deposit Register till advice of receipt has been Received from the Treasury Officer.

(2) At the close of the month, the repayment orders issued by the court, but which have not been cashed at the Treasury, shall be detailed at the foot of the extract Register of Repayments, and their total shall be deducted from the total of the extract.

290. *consolidated monthly returns.*—As soon as the District Judge has received the monthly returns from outlying subordinate courts, he shall cause a Consolidated Plus and Minus Memorandum (Ret. 7) to be prepared, showing details for each court separately. A copy of this shall be forwarded to the Treasury Officer for verification and counter signature, and, after its return, it shall be pasted in a file book kept for the purpose.

291. *A Copy of the Consolidated monthly return to be forwarded to Accountant General.*—The District Judge shall then forward to the Accountant General a copy of the Consolidated Plus and Minus Memorandum so verified together with copies of the related monthly extracts. This statement shall reach the office of the Accountant General by the 15th of the month succeeding that to which they refer.

292. *Quarterly Certificates.*—At the end of every quarter, a certificate in the following terms shall be recorded upon the Deposit Registers, and signed by the Presiding Judge for every court:—

“I certify that I have personally carefully examined the Register of Receipts/Repayments of Deposits, and that the entries are made therein with care and regularity”.

The object of the examination are to see—

- (1) that all necessary entries are made and initialled at the time of the transaction,
- (2) that no money is unnecessarily placed in deposit or remains there without good cause.

293. *Unclaimed balances.*—(1) Once in every quarter and whenever the cash balance exceeds the amount for which the Receiving Officer has given security, the Presiding Judge shall check the Register of Petty Receipts and Repayments and shall cause unclaimed balances, which it is no longer necessary to retain in the court to be remitted to the Treasury as miscellaneous deposits. Each item so remitted shall be treated as a separate deposit, and if not claimed, shall lapse to Government.

The result of the quarterly check by the Presiding Judge under this rule shall be reported for the information and orders of the District Judge.

(b) *Checking of cash balance.*—Once in every week, the Munsarim of the court shall examine the cash balance in the hands of the Nazir and shall submit to the Presiding Judge a certificate in the following terms:—

“I certify that I have personally examined the registers kept by the Nazir and counted the cash balance in the hands of the Receiving Officer and have found the same to be correct”

294. *List of deposits about to lapse.*—Early in March, of each year, the Registers of Receipts and Repayments of Deposits shall be carefully examined by the Munsarim and Receiving Officer of each court and a list shall be prepared of—

- (1) (a) all deposits not exceeding five rupees which have remained in deposit from a date prior to 1st April, of the preceding year, and
- (b) all balances not exceeding five rupees of all existing deposits which have been partially repaid;
- (2) all deposits and balances (which at the date of the preparation of the list) had remained in deposits from a date two years prior to 1st April of the preceding year.

This list shall include items for which repayment orders may have been issued already but not cashed at the Treasury.

The list shall be placed on a notice board in a conspicuous part of the court house with a notice to the effect that the items mentioned therein will lapse to Government if not withdrawn before 1st April then following.

295. *Preparation of list of lapsed sums.*—On 1st April, or the first working day thereafter, the items repaid at the Treasury in the course of the preceding month and not those for which repayment orders may have been issued but not cashed before 1st April, shall be struck out of the list, and the remaining items shall be marked off in red ink, along columns 12 to 24 of the Register of Receipts of Deposits (Reg. 14) as having been credited to Government as lapsed, thus "Lapsed on 31st March, 19 ", and the amount so lapsed should be entered in column 25. These items shall not be entered in the Register of Repayments of Deposits, but the aggregate of them shall be debited in the Cash-book in column 'Treasury' and shall be deducted in the Plus and minus Memorandum from the closing balance of March.

Information of lapsed sums to Treasury Officer.—The list shall forthwith be submitted to the District Judge by the subordinate courts and the District Judge shall forward a list of the items to the Treasury Officer, in order that they may be credited to Government by transfer entries in the Account Office. A copy of the list shall be forwarded to the Accountant General.

296. *Refund of lapsed sums.*—Deposits thus credited to the revenues of the State cannot be repaid without the sanction of the Accountant General which will be given on its being ascertained that the items of which refund is claimed were really received and carried to credit as lapsed, and are now claimed by the person or persons who might have drawn them at any time before the lapse. The amount of a lapsed deposit refunded will be charged as a refund and not debited to deposit. But the application for refund shall be recorded in the column of remarks in the Register of Receipts of Deposits and on the office copy of the List of Lapsed Deposits, if it has not already been weeded, so as to guard against a second repayment. Applications by courts to the Accountant General for sanction of refund of lapsed deposits shall be in the prescribed form (F. 29). Such applications by subordinate courts for

refund of lapsed deposits must be forwarded to the Accountant General through the District Judge.

297. *Procedure in cases of forfeitures ordered by court under Order XXI, rule 86.*—The following rules shall regulate the procedure in cases of forfeitures ordered by court under Order XXI, rule 86:—

(1) In the case of a sale conducted by an officer of the court or by any other person (not being a Collector) appointed by the Court, if through default being made in the payment of purchase-money within the time specified in Order XXI, rule 85 of the Act No. V of 1908, the earnest money deposited under Order XXI, rule 84, ordered to be forfeited under Order XXI, rule 86, the court shall make over to the Receiving Officer a repayment order for the amount of the fee payable by way of poundage and the Receiving Officer shall buy stamps representing that fee and affix them on the order directing the deduction to be made.

As to the remainder of the earnest money the court shall (a) send a proceeding to the Treasury Officer informing him of the forfeiture of the item and of the number and date borne by it in the Register of Receipts of deposits, and requesting him to transfer and credit it to Government under head “XXI-Administration of Justice, General Fees, Fines, and Forfeitures;” (b) mark off the item in red ink along columns 11 to 23 of the Register of Receipts of Deposits (Reg. 14), thus: “forfeited under Order XXI, rule 86 of Act No. V of 1908, the day of 19 ”, and enter it in column 24 of that register; and (c) debit the item in the Deposit Cash-Book in column “Treasury” on the day on which transfer is advised by the Treasury Officer.

(2) In the case of a sale conducted by a Collector, if through default being made in the payment of the purchase-money within the time specified in Order XXI, rule 85 of Act No. V of 1908, the earnest-money deposited under rule 84 be forfeited under rule 86, the Court will, on report of fact of non payment being received from the Collector, (a) send a proceeding to the Treasury Officer informing him of the forfeiture of the balance shown in column 12 of the Collector's report of sale in the prescribed form (F. 30) as held in deposit after the poundage fee payable has been deducted and credited to Government as provided in Rule 308 and of the amount of that balance and the number and date borne by it in the Register of Receipts of Deposits and requesting him to transfer and credit it to Government under head “XXI-Administration of Justice, General Fees, Fines and Forfeitures”; and (b) mark off and enter the item in the Register of Receipts of Deposits and debit in the Cash-Book in the manner prescribed in sub-rule (1).

(3) In respect of no item credited to Government under this rule shall a repayment order be issued, but every such item shall be entered in the Register of Repayments of Deposits (the words “credited to Government” being written against the item along columns

7 and 8 of that register), and shall thus be included in the total repayments which are deducted from the total balance shown in column 4 of the Plus and Minus Memorandum at the end of the month.

298. *Clearance register.*—In the beginning of April each year, every court concerned should examine the Receipt Register of second preceding year, and transfer to a Clearance Register in the prescribed form (Ret. 34) all the outstanding balances, which are not listed as lapsed under Rule 295. To this Clearance Register should also be transferred any items in the last preceding Clearance Register, but one, that are for any special reasons not allowed to lapse to Government under Rule 295, while the bulk of the out standings in it so lapse.

Every subordinate court shall submit its Clearance Register to the District Judge by the 10th of April. The District Judge shall cause to be prepared in his Office a General Clearance Register of the outstanding balances of deposits in his own Court and in the Courts subordinate to him.

The consolidated statement should be sent to the Accountant General by the 25th April, with a view to repayments during the next two years being recorded in the columns provided for the purpose. In the Courts, however, the repayment of items entered in the Clearance Register submitted to the Accountant General should continue to be recorded in the original Receipt Register.

299. *Duty on applications for certificate under the Indian Succession Act.*—Every application under section 372 of the Indian Succession Act (No. XXXIX of 1925) shall state the value of the debts and securities in respect of which the certificate is applied for; and shall be accompanied by a deposit of the estimated amount of stamp duty payable on such certificate, and any person who may take objection to the issue of a certificate to himself, shall in like manner be required to bring into court with his claim the estimated amount of stamp duty payable on such certificate.

Every amount brought into Court under this Rule shall be deposited in the Government Treasury, and, if the application or claim be granted, will be drawn under rule 273.

If the application or claim is rejected, the amount shall be repaid to the party by whom it was brought into court.

300. *All moneys to be entered in accounts.*—All moneys received and paid by or through any officer or official in his official capacity as an officer or official of a court shall, without any reservation, be entered in the public accounts.

Unauthorised funds disallowed.—No unauthorised funds, as for instance from fines or from deductions made from the pay of establishments or from any other source, shall be maintained.

301. *Establishment Order Book.*—An establishment order book in the prescribed form (Reg. 30) shall be maintained in all

courts in which the final result of each order on the subject of appointment, promotion, reversion etc. of individual officials should be shown. The Munsarim shall check the office copies of establishment pay bills by comparison with the entries in this Establishment Order Book. The officer who passes establishment pay bills should also occasionally check a few items with the Establishment Order Book.

302. *Check over postage.*—District and Sessions Judges and the Presiding Officers of subordinate Courts shall be responsible for checking expenditure on service telegrams, service postage labels, including postage on judicial processes and cash postage.

They shall see :—

- (a) that the Central and other Nazirs are thoroughly acquainted with the postal rules and rates and take advantage of the most economical method of despatch;
- (b) that all letters and papers intended for on office are despatched in one cover;

Note:—Papers do not include records.

- and (c) that one of the clerks of their courts is appointed to sort and despatch the letters and papers of each department of their courts in different covers to the Nazir.

303. *Custody of cash and articles of value.*—In every District Court situated near the District Treasury, the District Judge shall arrange that cash received by the Central Nazir and required by law or rule to be retained by him or retained by him in his official capacity are kept in a substantial box, and that this box is duly deposited in the District Treasury.

Moneys received by the Central Nazir of such a court at a time when the box has been deposited, or by the Central Nazir of a Court at a distance from the treasury, shall be kept in the safe which has been specially supplied under Government orders to each District Court for the use of the Central Nazir.

The Central Nazir will be supplied with a fairly large box in addition to the substantial box in which he keeps cash. This additional box will be used exclusively for keeping in it articles of value received by him and required by law or rule to be retained by him or retained by him in his official capacity. It shall be securely locked and will ordinarily remain in the Treasury. If any of the articles in it are required by the Court in a particular case, the box, or the articles required, will be sent for from the Treasury and returned to the Treasury the same day unless the court orders otherwise. The articles received by the Central Nazir at a time when it is not possible to have access to the additional box may be kept in the safe supplied for his use, but subsequently these articles shall be placed in that box without any delay.

All articles received by a Central Nazir or Nazir will be entered in a register to be maintained for the purpose (Reg. 31).

The Presiding Judge of an outlying court, shall see that the Nazir, on the closing of the court each day, makes over his cash

chest for safe custody to the local Treasury or Sub-Treasury, as the case may be.

The District Judge, when inspecting an outlying court, shall see that the cash and stamps are kept in strong boxes secured with good locks; and shall report any case in which difficulty may be experienced in giving effect to the above order, owing to the court being situated at an inconvenient distance from the Treasury or Sub-Treasury, or from any other cause.

District Judges should make surprise visits to the Nazarat at Headquarters, at least once in every half year, and maintain a record certifying that this has been done and that the provisions of rule 261 and of this rule are being complied with.

Presiding Officers will make these inspections for outlying Nazarats.

Cash and articles of value received by a subordinate court at headquarters shall be forwarded for deposit to the Central Nazir.

CHAPTER XI

Process Fees and Court Fees.

Process Fees.

304. *Scale of process fees and poundage.*—The fees exhibited in the following table shall be charged for serving and executing the several processes against which they are respectively ranged—

Table of fees

Part I—In the Courts of District Judges and in the Courts of Civil Judges and Munsif in suits in which the amount or value of the subject-matter exceeds Rs. 2,000/— and in the Courts of Civil Judges exercising appellate jurisdiction under section 21 (4) or section 22 of the Rajasthan Civil Courts Ordinance.

Article 1.—Summons to defendants, notice of appeal or other notice to respondents—

- | | | | |
|--|------|------|------|
| (a) when the defendants or respondents are not more than four in number, one fee | .... | .... | 2-50 |
| (b) when such defendants or respondents are more than four in number, then the fee above-mentioned for the first four, and an additional fee for every such person in excess of four | ... | .. | 0 60 |

Provided that the aggregate amount of the fees levied under this article shall not exceed	..	12-50
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Note:—At Tehsil Treasuries and Sub-Treasuries may be deposited cash chests of outlying Munsifs. At every tahsil where such chests are received for safe custody, the Tahsildar shall inform the Munsif in advance of all holidays on which the Tahsil Treasuries will be closed, and on such holidays, on shall, on an application being made, open the Tahsil Treasury from 10 to 11 a.m. and from 3 to 4 p.m. for the purpose of issuing and receiving the chests.

Article 2 Summons to witnesses when the witnesses are not more than four in number, one fee— 2.50

When such witnesses are more than four in number, then the fee above mentioned for the first four, and an additional fee of ten annas for every such witness in excess of four.

Article 3. Every order of attachment— 1.25

Article 4. In respect of the services of the officer making an attachment in the manner prescribed in order XXI, Rules 43, 44, 51 and 54 and section 46 of the Code when the property is to be attached in one town or village, only one fee 5 0 0

When property is to be attached in more than one town, or village, then the fee above mentioned for the first town or village specified in the order of attachment, and an additional fee of one rupee eight annas for every other town or village :

Provided that the aggregate amount of the fees levied under this Article shall not exceed ten rupees.

Article 5. Every warrant of arrest in respect of each person to be arrested 3.75

*Article 6.** In respect of the services of each peon in whose custody a judgment debtor is left under Order XXI rule 40 (3) of the Code per diem 1.00

Notes.

The article refers to the services of peon when required under proviso (2) of sub-rule (3) of Rule 40 of Order 21 C P C. Sub-rule (3) reads as under:—

Upon the conclusion of the enquiry under sub-rule (1) the Court may, subject to the provisions of section 51 and to the other provisions of this Code, make an order for the detention of the judgment-debtor in the civil prison and shall in that event cause him to be arrested if he is not already under arrest :

Provided that in order to give the judgment debtor an opportunity of satisfying the decree, the Court may, before making the order of detention, leave the judgment-debtor in the custody of an officer of the Court for a specified period not exceeding fifteen days or release him on his furnishing security to the satisfaction of the Court for his appearance at the expiration of the specified period if the decree be not sooner satisfied.

*Article 7*** Every order for the sale of property—

- (a) in respect of the order of sale 1.25
- (b) by way of poundage on the full amount of the purchase money—

Notes

Rule 76 of Order 21 requiring such sale provides that, "Where the property to be sold is a negotiable instrument or a share in a corporation, the

*NOTE—Fees will be paid under this article in advance for such period as the Court may from time to time direct.

NOTE—The portion (a) of this fee must be paid when the process is obtained, and the poundage (b) at the time and in the manner prescribed in rule 309, 310 or 311.

Court may, instead of directing the sale to be made by public auction, authorize the sale of such instrument of share through a broker.

If the sale be effected through a broker under Order XXI, rule 76 of Act No. V of 1908.

The Commission payable to the broker, and in addition a sum equal to one-quarter of such commission.

On sales conducted by Civil Courts at the rate of 4 percent or 4 nP. in the rupees where the amount exceeds Rs. 2000/- but does not exceed Rs. 10,000/- and thereafter 2 per cent or 2 nP in the rupees where the amount exceeds Rs. 10,000/- subject to a maximum of Rs. 500/-

Article 8.—In respect of the services of the officer making delivery of possession of property under Order XXI, rule 31, 35, 36, 95, 96, 98 or 101 of the Code, when property is to be delivered in one town or village only one fee 9.00

When property is to be delivered in more than one town or village, then the fee above mentioned for the first town or village specified in the warrant of delivery, and an additional fee of two rupees for every other town or village.

Provided that the aggregate amount of the fees levied under this article shall not exceed fifteen rupees.

Notes.

The delivery of possession concerning this article is referred to in the following rules of Order 21 C.P.C.

(1) Rule 31.—Possession in pursuance of decree for specific movable property.

(2) Rule 35.—Possession in pursuance of decree for the delivery of any immovable property.

(3) Rule 36.—Possession in pursuance of decree for delivery of immovable property when in occupancy of tenant.

(4) Rule 95.—Delivery of property in occupancy of judgment-debtor on the authority of certificate of purchase granted under O. 21 R 94 C.P.C.

(5) Rule 96.—Delivery of property in occupancy of tenant on the authority of certificate of purchase granted under O. 21 R 94 C.P.C.

(6) Rule 98.—Delivery of possession to decree holder or purchaser on resistant or obstruction by judgment debtor.

(7) Rule 101.—Restoration of possession to bonafide claimants.

Article 9.—Notice, proclamation, injunction or other order not specified in any preceding article of this part, when the copies to be served or posted are not more than four in number, one fee 2 50

When such copies are more than four in number, then the fee above mentioned for the first four, and an additional fee of ten annas for every such copy in excess of four:

Provided that the aggregate amount of the fee levied under this article shall not exceed twelve rupees eight annas.

NOTE—This fee shall be payable in addition to the ordinary fees specified in article 1, 2 or 9 of this Part.

Article 10 —If the service of a process, other than a warrant for the arrest of the person, be declared "emergent" 1 25

Part II —In suits (except those specified in Part III in the Court of Civil Judges and Munsifs in which the amount or value of the subject-matter does not exceed 2 000/- and in Courts of Small Causes.

Article 1.—Summons to defendants, when the defendants are not more than four in number, one fee... 1.25

When the defendants are more than four in number, then the fee above mentioned for the first four, and an additional fee of five annas for every such defendant in excess of four; provided that the aggregate amount of the fees levied under this article shall not exceed six rupees four annas.

Article 2 —Summons to witnesses, when the witnesses are not more than four in number, one Fee 1.25

When the witnesses are more than four in number, than the fee above mentioned for the first four, and an additional fee of five annas for every such witness in excess of four.

Article 3 —Every order of attachment..... 1.00

Article 4 —In respect of the services of the officer making an attachment in the manner prescribed in order XXI, Rules 43, 41, 51 & 54 and section 46 of the Code when the property is to be attached in one town or village only, one fee 3.00

When property is to be attached in more than one town or village, than the fee above mentioned for the first town or village specified in the order of attachment, and an additional fee of one rupee for every other town or village; provided that the aggregate amount of fees levied under this article shall not exceed six rupees.

Article 5.—Every warrant of arrest in respect of each person to be arrested 2 50

*Article 6**—Every order for the sale of property

(a) in respect of the order of sale 1.00

(b) by way of the poundage on the full amount of the purchase money :—

If the sale be effected through a broker under Order XXI, rule 76 of Act No. V of 1908. The commission payable to the broker and, in addition, a sum equal to one-quarter of such commission

On sales conducted by Civil Courts at the rate of 6 percent or 6 nP. in the rupee where the amount does not

*NOTE :—The portion (a) of this fee must be paid when the process is obtained and the poundage (b) at the time and in the manner prescribed in rule 309, 310 or 311.

exceed Rs. 1000/- and 4 percent or 4 nP. in the rupee thereafter.

Article 7.—In respect of the services of the officer making delivery of possession of property under Order XXI, rule 31, 35, 36, 95, 96, 98 or 101 of the Code when property is to be delivered in one town or village only one fee..... 4.00

When property is to be delivered in more than one town or village, then the fee above mentioned for the first town or village specified in the warrant of delivery, and an additional fee of one rupee for every other town or village; Provided that the aggregate amount of the fees levied under this article shall not exceed seven rupees.

Article 8.—Notice, proclamation, injunction or other order not specified in any preceding article of this part, when the copies to be served or posted are not more than four in number, one fee. 1.25

When such copies are more than four in number, then the fee abovementioned for the first four, and an additional fee of five annas for every such copy in excess of four: Provided that the aggregate amount of the fees levied under this article shall not exceed six rupees eight annas.

Article 9.*—If the service of a process, other than a warrant for the arrest of the person declared "emergent" 1.00

Part III—In the Courts of Civil Judges and Munsifs and in Courts of Small Causes in suits in which the amount or value of the subject-matter in dispute does not exceed, 5.00

Article 1.—Summons to defendants, when the defendants are not more than two in number. one fee 0.60

When the defendants are more than two in number, then the fee above mentioned for the first two, and an additional fee of three annas for every such defendant in excess of two: Provided that the aggregate amount of the fees levied under this article shall not exceed four rupees.

Article 2.—Summons to witnesses in respect of each witness 0.35

Article 3.—Every order of attachment 0.60

Article 4.—In respect of the services of the officer making an attachment in the manner prescribed in order XXI, rules 43, 44, 51 & 54 and section 46 of the Code when property is to be attached in one town or village only, one fee.... 1.50

When property is to be attached in more than one town or village, then the fee above mentioned for the first town or village specified in the order of attachment and

*NOTE :—This will be payable in addition to the ordinary fee specified in article 2 or 8 of this Part.

an additional fee of eight annas for every other town or village:

Provided that the aggregate amount of the fees levied under this article shall not exceed three rupees.

Article 5.—Every warrant of arrest in respect of Rs. nP.
each person to be arrested 1.25

Article 6.*—Every order for the sale of property—

(a) in respect of the sale .60

(b) by way of poundage on the full amount of the purchase money—

If the sale be effected through a broker under Order XXI, rule 76 of the Code.

The commission payable to the broker, and in addition a sum equal to one quarter of such commission.

On sales conducted by Civil Courts at the rate of 6 per cent or 6 nP. in the rupee.

Article 7.—In respect of the services of the officer making delivery of possession of property under Order XXI, rule 31, 35, 36, 95, 96, 98 or 101 of the Code when property is to be delivered in one town or village only, one fee. 2.00

When property is to be delivered in more than one town or village, then the fee above mentioned for the first town or village specified in the warrant of delivery, and an additional fee of eight annas for every other town or village: Provided that the aggregate amount of the fees levied under this article shall not exceed three rupees.

Article 8.—Notice, proclamation, injunction or other order not specified in any preceding article of this Part, when the copies to be served or posted are not more than two in number, one fee60 nP.

When such copies are more than two in number, then the fee above mentioned for the first two and an additional fee of three annas for every such copy in excess of two: Provided that the aggregate amount of the fees levied under this article not exceed four rupees.

Article 9.—*If the service of a process, other than a warrant for the arrest of the person to be declared "emergent"60 nP.

*NOTE.—The portion (a) of this fee must be paid when the process is obtained and the poundage (b) at the time and in the manner prescribed in rule 309, 310 or 311.

*Note.—This fee will be payable in addition to the ordinary fee specified in article 1, 2, or 8 of this Part.

Note.—Notwithstanding rule 304, fees for processes in execution of a decree or order for money shall be charged, irrespective of the value of the original suit, according to the amount, including interest, if any due, upon the decree or order; that is to say, if such amount exceeds Rs. 2,000, fees shall be charged under Part I; if it be Rs. 2,000 or less and more than Rs. 50, they should be charged under Part II, and if it does not exceed Rs. 50, they should be charged under Part III.

305. *Exemptions.*—Notwithstanding rule 304, no fee shall be chargeable for serving or executing:—

- (1) any process which may be issued by any Court, of its own motion unless the order of the court is for payment of the necessary process by a party;
- (2) any process issued a second time in consequence of an adjournment made otherwise than at the instance of a party or an intervener;
- (3) any copy of a warrant, order or certificate posted under Order XXI, rule 36, 54 or 96 when the fee chargeable under article 4 or article 8, Part I, or under article 4 or article 7, Parts II and III, has been paid;

Notes.

The particulars of rules of Order 21 as referred above are as under:—

- (1) Rule 36 refers to execution of decree for delivery of immovable property when in occupancy of tenant.
- (2) Rule 54 refers to the attachment of immovable property for the satisfaction of decree.
- (3) Rule 96 refers to delivery of property in occupancy of tenant to a person holding a certificate of purchase under Order 21 rule 94 C. P. C.
- (4) any copy of a summons, notice, order, proclamation or other process posted in a court house or in the office of a Collector;
- (5) any notice issued by a District Court under Schedule III, paragraph 5 of the Code;

Notes.

Para 5 of Schedule III of C. P. C. reads as under:—The Collector may, instead of himself issuing the notices and holding the inquiry required by paragraphs 3 and 4, draw up a statement specifying the circumstances of the judgment-debtor and of his immovable property so far as they are known to the Collector or appear in the records of his office, and forward such statement to the District Court; and such Court shall thereupon issue the notices, hold the inquiry and draw up the statement required by paragraphs 3 and 4 and transmit such statement to the Collector.

- (6) any order intimating withdrawal of attachment or postponement of sale;
- (7) any order intimating to a sales officer that permission has been given to a decree holder to bid for or purchase property under Order XXI, rule 72;

Notes.

Order 21 Rule 72 prohibits a decree holder to bid for or buy property without the express permission of court.

- (8) any copy of a notice of an application under Act No. VIII of 1890 sent to a Collector;

Notes.

Act No. VIII of 1890 refers to the Guardians and Wards Act.

- (9) any order directing an officer in charge of a jail to detain or to release a person committed to his custody.

306. *No fees to be Charged for fresh Service on execution of processes in certain Cases.*—(1) No fees shall be charged for fresh service or execution of processes in cases in which any processes are not served on account of a mistake of the officer or fault of the process server.

(2) A summons or notice served under Rule 13, 14, 15 or 17 of Order V of the Code shall be deemed to have been served for the purposes of this rule, even though the service is held to be insufficient under Order V rule 19.

Notes.

The rules of Order 5 C P. C. referred to above deal with the service of summons otherwise than on person.

307. *Unexpended process fee.*—Except as hereinafter mentioned, no fee paid in respect of an order of attachment or an order of sale shall be refunded if the order in respect of which the fee has been paid has been passed.

If, for any reason, it becomes unnecessary for an officer to proceed to make an attachment in the manner prescribed in order XXI, rule 43, 44, 51 or 54 or delivery of possession of property under Order XXI, rule 31, 35, 36, 95, 96, 98 or 101 of the Code, any fee paid in respect of his services shall be refunded after a deduction at the rate of 6 nP. in the rupee or part thereof.

308. *Poundage.*—When any sale in execution of a decree of a Civil Court is conducted by a Collector, a fee shall be payable by way of poundage on the full amount of the purchase-money at 6 per cent.

The fee payable shall be deducted by the Collector from the sum deposited under Order XXI, rule 84 of the Code by the purchaser, and shall be credited to Government.

309. *Mode of paying poundage.*—When any sale in execution of a decree of a Civil Court is conducted by a sales Amin, the fee payable by way of poundage on the full amount of the purchase-money shall be paid in stamps, which shall be affixed on the first application, if any be filed, for payment of such purchase-money out of Court, whether it be or be not made by the person who obtained the order of sale, or whether it does or does not extend to the whole of the purchase-money. If no such application be filed, then the stamps representing the fee payable shall be affixed on the office report on which the Court has recorded its order for payment. If such an application be filed, it shall bear the requisite stamps for

the fee, in addition to such stamps, if any, as are needed for its own validity:

Provided that when such fee has once been paid in full in respect of any sale, no further fee shall be payable in respect of the same sale:

Provided also that the party paying such fee shall be paid the amount of it out of the purchase-money prior to the distribution thereof among the persons, entitled thereto:

Provided also that when a sale of immovable property is set aside under Order XXI, rule 92 (2) upon applications under Order XXI, rules 90 and 91 of the Code, no fee shall be payable by way of poundage on the purchase money.

When a sale of immovable property is set aside under Order XXI, rule 92 (2), upon application by the judgment-debtor under Order XXI, rule 89, fees due by way of poundage shall be payable by the judgment-debtor, and shall be paid in stamps affixed to the application to set aside the sale.

When a sale is made under either rule 65 or rule 76 of Order XXI of the Code by a person other than an officer of the Court, an Amin or a Collector, the procedure in this rule before prescribed shall be followed, but the amount of the poundage fee to be paid in stamps shall be the full amount chargeable under rule 304, less the amount of special Amins' commission.

Where the amount of special Amin's commission exceeds the poundage fee chargeable under rule 304, no such poundage fee shall be levied.

Such commission shall be payable out of the sale proceeds next after the payment mentioned in the second proviso of this rule.

310. *Poundage fee to be deducted from the deposit.*—If default be made in the payment of purchase-money within the time specified in order XXI, rule 95, of the Code, the fee payable by way of poundage shall be deducted from the deposit paid under Order XXI, rule 84, and stamps representing such fee shall be bought and affixed by the Court on the order directing the deduction to be made.

311. *Poundage less than 6 nP.*—Any fraction of 6 nP. in a fee payable by way of poundage shall be remitted.

312. *Wages of chair-men and incidental charges.*—Incidental charges, such as the wages of chainmen and the like, shall be levied in cash. Their amount will be at the discretion of the court, and they shall be paid by the party named by the court before the Amin is deputed.

313. *Amins' deputation fee when sale is not held.*—(1) Before an Amin is deputed to sell property, a payment shall be required on the following scale to meet the expenses of his deputation in the event of no sale taking place by reason of the claim being satisfied or for any other cause:—

When the amount, including interest, due upon the decree or order does not exceed Rs. 50 Rs nP 1. 50

When such amount exceeds Rs 50, but does not exceeds Rs. 1 000 3. 00

When such amount exceeds Rs. 1,000 .. 6. 00

(2) If the sale takes place, the above amount shall be deducted from the poundage payable under rule 304 (Part I, article 7; Parts II & III, article 6); and if for any reason it becomes unnecessary for the Amin to proceed to the place where the sale was to have been held, the payment made under this rule shall be refunded, after a deduction at the rate of 6 nP. in the rupee or part thereof. In no other case shall a refund be allowed.

314. *Process fees taxable as costs*—The fees paid in pursuance of these rules shall in all proceedings be deemed and treated as part of the necessary and proper costs of the party who pays them : Provided that no fees or charges which have been refunded, or in respect of which a party might have obtained a refund, shall be deemed and treated as necessary and proper costs within this rule.

315. *How to file process fees.*—Process fees payable under these rules shall, except where otherwise indicated, be paid in adhesive Court-fee stamps posted on a separate sheet of paper on which shall be written the particulars of the case in which the process is to be issued and the description of process of which it be the fees.

316. *Proclamation of a notice by beat of drum.*—When a notice has to be proclaimed by beat of drum (as under Rule 409 (3) Probate and Administration, or Order XXI, Rule 54 the actual expenses of proclaiming the notice by beat of drum shall be levied in cash. The amount of such expenses will be at the discretion of the Court and shall be tendered in cash with every application for the issue of such notice.

317. *Punching and cancellation of stamps.*—(1) Each judicial officer, should under section 30 of the Court-fees Act, 1870, as adapted to Rajasthan, formally appoint an officer for the purpose of cancelling stamps. That officer, who should ordinarily be the reader for documents filed in court and the Munsarim (or other ministerial officer authorised to receive any applications) for documents presented before him, shall personally attend to, and be personally responsible for, the strict fulfilment of the duty of receiving documents to be filed, examining the correctness and adequacy of the stamps attached thereto and immediately cancelling such stamps as are required by section 30 of the Court fees Act. There is no objection to the ministerial officer appointed employing trustworthy subordinates to do the mere manual work of cancelling the stamps, subject to the approval of the court, but it will be on the distinct understanding that officer will be *personally responsible* for the due execution of the duty and for any defalcation or fraud that may occur in connection with it.

- NOTE :—(1) The Presiding Judge should see that punching is done immediately on presentation of the petitions and other documents in court.
- (2) A rubber stamp in the following form shall also be used :—

<p>CANCELLED</p> <p>Date</p>

It should be applied across the adhesive stamps and upon the paper on either side of it but not in such a way as to obliterate the entries thereon or to render the detection of forgeries more difficult.

(2) Too strict a compliance with the provisions of section 30 of the Court-fees Act cannot be enjoined. In all cases it should be carefully seen that the figureheads of the court-fee stamps are punched out that the pieces are destroyed, and the stamps registered before the documents to which the stamps are attached are filed or acted upon.

(3) Every judicial officer should inspect and test the work of his officers from time to time so as to ensure attention to their duty and to limit opportunities for fraud. A very efficient check could be kept on any attempt to defraud Government, if each Presiding Judge examines daily some of the record he handles and if he also examines periodically bundles of records of cases dealt with by him, taken out at random from the shelves in which they are placed.

318. *Aggregate value and number of stamps to be noted.*—The official entrusted with the work of cancellation and first punching of court-fee labels and impressed stamps shall legibly record on the document, below the stamps, the aggregate value and number of the stamps used to denote each separate fee.

When two or more impressed stamps are used, the official concerned shall record the aggregate value and number of stamps on the first sheet and on the other sheets he shall make a note that it forms part of that particular document.

319. *First punching of labels on copies etc.*—The Court or office issuing copies, certificates or other similar documents liable to stamp duty shall, before issue, cancel the labels affixed to them by punching out a portion of the label in such a manner as to remove neither the figure head nor that part of the label upon which its value is expressed.

A portion of the stamp on the left side of the figurehead shall be punched out by the Munsarim on the issue of the copy, translation, certificate, probate or letters of administration. On the filing of the document, a second hole shall be punched in the stamp in the manner prescribed by these rules.

320. *Destruction of pieces punched out.*—The portion of the stamp removed by the punching prescribed in rules 317 and 319 shall be burnt or otherwise destroyed by the officer charged with the duty of punching it out.

321. *Forgery of stamps to be reported to Government.*—The Presiding Judge of every Civil Court shall report immediately to the State Government, through the Inspector General of Stamps and Registration, Rajasthan, any instance of forgery or fraudulent use of any description of stamps, whether general, Judicial, postal or telegraph coming to his notice. Such report shall be accompanied by full particulars as to the nature of the forgery or fraud perpetrated, and, if possible, by specimens, and shall, in the case of Judges of Courts of Small Causes, Civil Judges and Munsifs, be made through their District Judge.

Refund.

322. *Authority to refund Court Fee and process Fee.*—A Court may order refund of court-fees under section 10, 13, 14 or 15 of the Court-fees Act (No. VII of 1870), as adapted to Rajasthan, in refund of process fees may be ordered under the rules in Chapters III and XI.

323. *Refund of Court Fees on Order of remand.*—When a suit is remanded on appeal by an order under rule 23, Order XLI, the refund certificate shall not be granted by the appellate court authorising the appellant to receive back the whole or any part of the fee paid on the memorandum of appeal until the order of remand has become final, either by being affirmed in appeal or by the expiration of the time for filing of a second appeal.

324. *Order for refund.*—An order for refund of court-fees or process fees shall be made on an application bearing an office report or on an officer's report. The Presiding Judge shall with his own hand note in figures the amount to be refunded; and the Judge shall refer to such order before signing the certificate for refund.

325. *Fee on delayed applications in outlying courts.*—When an application for refund of court-fees is made and it is found necessary in an outlying court to call for the record of the case from the record room, the applicant will be required to pay a fee of Re. 1 if the application for refund is made beyond three weeks of the decision of the case.

326. *Certificate of refund.*—The refund shall be made by a certificate for refund in the prescribed form (F.31) granted by the court to the person entitled to such refund, authorising him to receive from the Collector the amount therein specified.

327. *Note of refund certificate.*—(1) When a refund certificate has been signed by the Judge, the clerk concerned shall record in red ink on the document bearing the stamps in respect of which the refund has been ordered; a certificate indicating that refund

certificate number—has been issued on—(give date) for rupees..... (give figures) in respect of the stamps pasted above.

(2) The issue of the certificate shall also be noted against the original entry of the receipt of court-fee in the Register of Court fees.

328. *Parts of refund certificate and their disposal.*—Part I of Form No. 31 shall be retained in the Court and parts II and III shall be made over to the person to whom the refund or repayment is to be made for presentation to the Collector or at the Treasury or Sub-Treasury.

Such presentation shall be made within 15 days from the date of the certificate and the certificate shall not remain in force for more than 15 days.

On the refund or repayment being made at the Treasury or Sub-Treasury, the officer in charge shall fill up part III and return it to the Court which granted the certificate, retaining part II as his voucher for the refund or repayment.

329. *Parts of refund certificate and their disposal*—On receipt of part III, such officer, as the Presiding Judge may appoint in this behalf shall:—

(1) paste part III to part I, noting on the former the date of its receipt from the Treasury or Sub-Treasury;

(2) certify below the order of the Presiding Judge directing the refund or payment that the refund or repayment has been made;

(3) file the document, on which the refund or payment was ordered, with the record, unless it has already been so filed;

(4) record in red ink a certificate in the following form on the document bearing the stamp or stamps in respect of which the refund or payment has been made and obtain the signature of the Presiding Judge thereto:

“Certified that the sum of has been refunded (or paid, as the case may be) under certificate No. dated ”; and

(5) if the refund or payment was of a process-fee, note the same in columns 27–29 of the register of court fees and process-fees against the original entry of the fee, and record on Part III of the certificate for refund, the fact of such note having been made.

CHAPTER XII.

Civil Court Registers

330. *Registers to be maintained in all courts.*—The following registers shall be maintained in all Civil Courts.—

(1) Register of Civil Suits (Reg. 32).

(2) Register of Original Suits Disposed of (Reg. 33).

(3) Register of Application for Execution of decrees and Orders (Reg. 34).

(4) Register of Disposal of applications for execution of decrees and orders (Reg. 35).

(5) Register of Miscellaneous Judicial Cases not relating to other cases (Reg. 36), a list of which is printed on the form in the appendix.

(6) Register of Returned Documents (Reg. 37).

And for the purposes of statistical statements the following registers shall be maintained in all Civil Courts.—

(7) Register showing the classification and value of suits instituted (Reg. 38).

(8) Register of cases in which salaries of public officers and railway servants are ordered to be withheld under Order XXI, rule 48 of the Code (Reg. 39).

(9) Register of Miscellaneous Cases, Judicial, relating to other cases (Reg. 40).

(10) Register of persons committed to Jail (Reg. 41).

(11) Register of proceedings taken in execution of orders received from the High Court (Reg. 42).

(12) Register of Records requisitioned and returned (Reg. 43).

(13) Register of persons summoned and examined (Reg. 44).

(14) Register of injunctions and stay orders (Reg. 45).

331. *Memorandum books for all Civil Courts.*—(1) A memorandum book of dates for cases (Reg. 46) shall be maintained in all Civil Courts.

(2) The entries in this book for each day for different kinds of cases *e. g.*, original suits, Appeals, Execution cases, miscellaneous cases, shall be grouped separately.

NOTE:—The memorandum books in (1) and (2) shall be opened for inspection to lawyers, registered clerks of lawyers, and the parties between hours to be fixed by the Presiding Judge.

332. *Diary for contested cases.*—Presiding officers shall keep a diary in their own handwriting in any form convenient to them in which they shall note for their own use the date fixed in all contested cases with, where possible, a rough estimate of the time likely to be occupied.

This rule shall not apply to Small Causes Court and miscellaneous cases, for which special days should ordinarily be allotted.

333. *Additional registers for appellate courts.*—(a) The following registers also shall be maintained in the Courts of District and other Judges exercising appellate powers.—

(1) A Register of Appeals from Decrees (Reg. 47).

(2) A Register of Appeals from Decrees disposed of (Reg. 48).

(3) A Register of Miscellaneous Appeals (Reg. 49).

(4) A Register of Miscellaneous Appeals disposed of (Reg. 50).

334. *Insolvency Registers.*—The following registers also shall be maintained in the Courts of District Judges and in all other courts specially invested with jurisdiction under section 3 of the Provincial Insolvency Act (No. V of 1920) namely,—

(1) An Insolvency Register (Reg. 51).

(2) A Register of Insolvent's Estates in the hands of Receivers (Reg. 52).

In the first week of each month, the dates in column 24 of the Insolvency Register shall be examined and a report made to the court by the clerk concerned for orders about cases in which no application for discharge has been made within the period originally fixed or Subsequently extended by the Court under section 27 of the Act.

Entries in the Register of Insolvents' Estates shall be made on receipt of the quarterly statements from the receiver and shall be totalled annually in order to check the annual accounts of the Receiver as well as to prepare the annual statement.

Each page of this register should be reserved for one individual estate.

335. *Gradation List.*—A gradation list of the establishment of the Judge-ship in the prescribed form (Reg. 53) shall be kept in the office of the District Judge and subject to the educational test and other conditions for appointment that may be prescribed, promotion shall be given with reference thereto and with due regard to the seniority in grade, qualifications, and conduct of officials.

336. *Nazir's Registers and Despatch Register.*—Every Nazir shall maintain—

(1) A Process Register (Reg. 54).

(2) A Register of Peons (Process Servers) (Reg. 55)

(3) Despatch Register (Local) (Reg. 56).

(4) Despatch Register (Postal) (Reg. 57).

NOTE:—The Despatch Register may be used by Court officials and by the Central Nazir or Nazir for transmission of papers, other than returns of service of processes to and from their respective offices.

The Peons Register shall have separate pages allotted for entries about the work of every process server.

It shall be written up by the Nazir or officer deputed by him upon the return of a process server after serving a warrant, summons or notice.

At the end of the month the several columns shall be totalled up. In the remarks column the District Judge and the Officer-in-charge of the Nazarat shall give such remarks and orders as they consider necessary.

337. *Register of orders to Amin.*—In every Civil Court, a register shall be maintained in the prescribed form (Reg. 58) of all orders issued to Amins. This register shall be checked by the Presiding Judge weekly, and he shall note in it, in his own handwriting, whether explanation given of delay is or is not satisfactory; and if it is not, what orders have been passed.

338. *Registers to be kept by Amins.*—Every Amin shall keep in his own handwriting a diary in the prescribed form (Reg. 59), a Proceedings Register (Reg. 60), a Property Register (Reg. 61) and a Cash Register (Reg. 62).

339. *Register of process fees and court fees.*—A Register of Court-fees and Process-fees (Reg. 63) shall be kept in each Court by such officer as the Presiding Judge may appoint.

340. *Register of casual leave.*—Every authority which grants casual leave shall cause a register of such leave to be maintained for (1) gazetted officers, (2) ministerial officials and (3) non-ministerial staff in the prescribed form (Reg. 64). This register shall be regularly examined by inspecting officers.

341. *Duty of Filling up registers and inspection of Registers.*—The Court Official appointed for the purpose by the Presiding Officer of each court shall daily enter the particulars of the day's cases in the proper registers and, at least once a month in the first week, shall lay these registers before the Presiding Judge, who will inspect and sign his name and put the date under the entries of the previous month. (District Judges, Civil Judges and Munsifs should also inspect and sign the other registers maintained in their courts)

342. *Work under new legislation.*—(1) Where any appeal, case or execution application, under any existing law or under any law which may be made hereafter, other than those provided for in the Code or in these rules is instituted in any Civil Court, it shall be treated for statistical purposes as a regular appeal, miscellaneous (Judicial) case, or execution proceeding, as the case may be, and entries will be made in the appropriate registers and in the periodical returns accordingly:

Provided that where any election case is instituted in any court in accordance with any law such a case shall be treated as a regular suit for statistical purposes.

(2) In the remarks column of the registers, the section and the Act under which such appeals, cases or execution applications are instituted shall always be noted, and in the periodical returns, the figures for each type of appeals, cases or execution applications shall be separately shown and at the bottom they should be totalled.

343. *Forms of registers.*—Forms of the registers to be maintained are given in Appendix C.

CHAPTER XIII

Returns and Reports

344. *Annual statements.*—The following annual Statements shall be submitted by all Civil Courts;—

- (1) Annual statement showing the general result of the trial of civil suits in courts of original jurisdiction (Ret. 35).
- (2) Annual statement showing the number and description of suits instituted (Ret. 36).
- (3) Annual statement showing the number and value of suits instituted (Ret. 37).
- (4) Annual statement showing the mode of disposal of "Miscellaneous cases, Judicial" (Ret. 38)
- (5) Annual statement showing the business of civil Appellate Court in appeals from decrees (Ret. 39).

- (6) Annual statement showing the business of Civil Appellate Court in Miscellaneous Appeals (Judicial) (Ret. 40).
- (7) Annual statement of undecided suits classified according to years (Ret. 41).
- (8) Annual statement showing the result of proceedings on applications for execution of decrees and orders (Ret. 42).
- (9) Annual statement of injunctions and Stay Orders issued by Courts (Ret. 43).
- (10) Annual statement showing proceedings in insolvency under Act V of 1920 for declaration of insolvency and the number of insolvents before the Courts (Ret. 44 and Ret. 45).
- (11) Annual statement showing the number of process-serving peons employed and the fees received for their services (Ret. 46).
- (12) Annual statement showing the number of persons summoned and examined (Ret. 47).
- (13) Annual statement showing the income and expenditure of Civil Courts (Ret. 48).
- (14) Annual statement showing the number of probates and letters of administration and certificates issued (Ret. 49).

345. *Quarterly statements.*—The following quarterly statements are to be submitted by all Courts.—

- (a) Quarterly statement showing the result of the trial of Civil suits in Courts of original jurisdiction (Ret. 20).

NOTE:—Reasons for low out-turn should be noted briefly in Remarks column.

- (b) Quarterly statement showing the result of proceedings on applications for execution of decrees and orders (Ret. 21).
- (c) Quarterly statement showing the business of Civil Appellate Courts in appeals from decrees and orders (Ret. 22).
- (d) Quarterly statement of injunctions and stay orders issued by Courts (Ret. 23).
- (e) List of pending regular suits stayed by orders passed by the High Court (Ret. 24).
- (f) List of pending execution cases stayed by the High Court (Ret. 25).

Together with the quarterly statement shall be submitted a statement explaining the delay in suits and execution applications pending over a year (Ret. 26 and Ret. 27). The explanations shall be suitably dealt with by the District Judge.

346. *Monthly statements and pending files.*—Every subordinate court shall submit to the District Judge by the 5th of every month a statement of the work done in that court in the preceding month (Ret. 9).

The District Judge shall by the 7th of every month send to the High Court a similar statement showing the work done in his Court in the preceding month. Along with the monthly statement for his Court the District Judge shall send to the High Court a statement of the work done in the Courts subordinate to him.

347. *Submission of quarterly statements by subordinate Courts.*—Quarterly statements shall be despatched by the subordinate courts to the District Judge on or before the 5th day of the month next succeeding the quarter to which they relate. Quarterly statements are not required for the quarter ending 31st December in respect of returns for which annual returns are prescribed.

On receipt of these statements District Judges shall make such short comments as they may think necessary and shall send such comments with any necessary orders to the officers concerned, forwarding a copy to the High Court for information.

348. *Submission of quarterly statements by District judges.*—Quarterly statements shall be despatched by District Judges on or before the 15th day of the month next succeeding the quarter to which they relate.

349. *Statement of receipts from search and inspection fees and copies.*—In the first week of every quarter of each year a statement (Ret. 28) shall be submitted to the Court of the District Judge by each Court subordinate to it. This statement shall show on the receipt side the receipts from search fees, from inspection fees, from copying charges for ordinary and urgent copies, and it shall also show the value according to the schedule scale of the copies granted free of charge; and on the disbursement side it shall show the salary of the establishment employed according to the details given in the Return No. 28.

A quarterly general statement (Ret. 28), showing the receipts for the Court of the District and Sessions Judge and for each subordinate Civil Court shall be prepared in the Court of the District Judge; and shall be forwarded to the High Court.

350. *Statement of cases in which judgments were delivered with delay.*—At the end of each month all the Courts shall submit to the District Judge a List in the prescribed form (Ret. 10) of cases in which there has been a delay of more than a month from the first date of hearing argument in delivery of judgments.

The District Judge will examine the lists so sent up and endorse thereon his orders regarding the delay. The lists sent up by the Civil Judges shall be forwarded, together with that for his own court, by the District Judge to the High Court. The lists sent up by the Munsifs and Courts of Small Causes shall be returned after endorsement.

351. *Submission of Annual statements.*—Annual statements for the year (with the exception of Return No. 49) shall be submi-

tted by subordinate courts to the District Judge on or before 20th day of January in the following year; and by the District Judge to the High Court on or before 15th of February then next.

The annual statement for the previous financial year showing the number of probates, etc. (Return No. 49) shall be forwarded by Subordinate Courts to their District Judge on or before 20th of April, and a consolidated statement for the Judgeship shall be submitted by the District Judge to the High Court on or before 10th of May.

352. *Annual Report.*—District Judges shall submit to the High Court, together with the annual statements, a report for the year on the administration of Civil Justice.

353. *Remarks about subordinate judicial officers.*—Along with or soon after the annual reports, before the end of February each year, District Judges should forward confidentially to the High Court, their remarks on the prescribed form (Ret. 51) about subordinate judicial officers.

354. *Contents of Annual Report.*—The following matters shall be noticed in the Annual Report:—

- (1) the condition of judicial buildings;
- (2) the preparation, arrangement and transmission of records;
- (3) the cancellation of stamps;
- (4) the classification, registration of correspondence, circulars, and returns;
- (5) the distribution and preservation of circulars and general letters;
- (6) the destruction of records;
- (7) the condition of the District Court Library;
- (8) the result of inquiry into the sufficiency of security given by public accountants;
- (9) the working of the rules under sections 20 and 21 of the Court Fees Act, 1870 as adapted to Rajasthan;
- (10) the condition of accounts of the Court;
- (11) the working of the rules relating to Civil Court's Amin;
- (12) the arrangement, distribution and use of printed forms;
- (13) the observance of the rule as to hours of sitting;
- (14) the observance of the rules relating to check of 'Amins' work by the officer in charge;
- (15) the effect of recent legislation and of rules of the Government or the High Court on the working of the Court;
- (16) any work done by an officer which does not appear in the annual returns *e. g.* Election work, work in administrative tribunals. The number of days spent over such work shall also be indicated;
- (17) the compliance by District Judges with rule 349.

355. *Matters not to be inserted in the Annual Report.*—In the preparation of their annual reports, officers should refrain from

the expression of censure or criticism of officers of other departments of the Government. Cases in which such seems called for should be reserved for special and separate report, if it is thought necessary that they be brought to notice.

356. *District Judges Notes for his successor.*—A District Judge, before leaving a district, shall place on record for the information of his successor and for the purposes of the annual report a minute embodying his opinions regarding the capacity of the Judicial Officers subordinate to him and generally, regarding the administration of Civil Justice in the district.

A confidential register (Reg. 65) shall be maintained for recording such minutes.

357. *Prohibition against calling for extra returns by the District Judges.*—In calling for returns other than the ordinary returns to enable him to supervise work, the District Judge shall see that such returns are brief in form and easily collected from existing registers.

358. *Return of Acquisition and parting of landed property by Judicial Officers.*—Every District Judge shall submit to the High Court on or before 20th of January of each year a return (Ret. 52) of all landed property acquired by himself or any Subordinate Judicial Officer, whether in his own name or not, or parted with by him during the preceding calendar year together with this statement shall be submitted (1) a statement (Ret. 53) of the landed property* held, whether in his own name or not, by him or any subordinate Judicial Officer, who has been appointed to his District during the preceding calendar year and (2) a list showing in the case of the above-mentioned officers—

(a) the names of immediate blood relations;

(b) the names of immediate connections, with the place of residence of each.

359. *Examination of Adequacy of Securities.*—The adequacy of all securities shall be examined every year between April and June 30 and a report made to the High Court in the prescribed form (Ret. 55) soon after the examination. When it appears to the District Judge that the value of a security has from any cause become insufficient, he shall call upon the official for whom such security was furnished to furnish adequate and sufficient security within a definite time and he shall in the meantime obtain a personal bond with sureties for the deficiency of his security. When there has been no mutation of ownership or sensible depreciation of the property pledged, it will be unnecessary to renew the security bond. A note of the result of the verification should be made in column 9 of the Register of Securities of Public Accountants.

360. *Statement showing receipts under head Administration of Justice.*—The Presiding Officer of each Court shall before the 15th of every month prepare a statement in the prescribed form

*N. B.—The term 'landed property' includes all such property held under a lease.

(Ret. 11) showing the amounts of receipts under the respective revenue heads specified in the form, which were credited into the Treasury during the previous month. This statement should then be sent to the local Treasury and verified there by the Treasury Officer. The discrepancies, if any, pointed out by the Treasury Officer should be reconciled and after the statement has been duly verified, it should be submitted to the District Judge who, as controlling Officer, will see that the dues of Government are regularly paid into the Treasury.

361. *Defalcation or loss of public money.*—On the occurrence in any department of a Civil Court of any defalcation or other loss of public money, the fact shall be at once reported to the High Court.

When the matter has been fully inquired into, a further complete report shall be submitted to the High Court of the nature and extent of the loss, showing the errors or neglect of rules by which such loss was rendered possible.

362. *List of returns and reports and forms thereof.*—List of the returns and reports to be submitted and forms thereof are given in Appendix D.

CHAPTER XIV

Correspondence.

363. *Classification of correspondence.*—The departments into which the correspondence of Civil Courts is classified are as follows:—

- (1) Appointment, promotion, transfer, leave, removal and inquiry into the conduct of Government servants.
- (2) Pensions and gratuities.
- (3) Security of public accountants.
- (4) Legal Practitioners.
- (5) Precepts received from the High Court.
- (6) Processes sent to and received from other Courts.
- (7) Annual reports and periodical returns.
- (8) Bills.
- (9) Budgets.
- (10) Deposit account.
- (11) Books, maps, forms and stationery.
- (12) Buildings and furniture.
- (13) Inspection of District and Subordinate Courts.
- (14) Rules and practice.
- (15) Miscellaneous.

No change in this classifications shall be made without the sanction of the High Court.

364. *Arrangement of files.*—The correspondence under each head shall be arranged by files; each file shall consist of all the letters received and issued in the course of a consecutive correspondence upon one subject. The letters in each file shall be arranged in chronological order; the first letter received or issued being at the bottom of the file, and the last letter received or issued being at the top.

365. *General Register of Correspondence Files.*—As soon as a correspondence file is started, it shall be entered in the General Register of Correspondence Files in the prescribed form (Reg. 66).

366. *Monthly submission of the General Register to the Presiding officer.*—The General Register of Correspondence files, shall be put up at the end of every month to the Presiding-Officer; in order that he may see that un-necessary delay does not take place in any case.

367. *Register of letters received.*—Every letter received shall be docketed and entered in the Register of Letter Received in the prescribed form (Reg. 67). The date of receipt of the letter and its register number shall be entered on the docket in red ink.

368. *Register of letters issued.*—Every letter issued shall be fairly copied; the original draft and the fair copy shall be numbered with the annual serial number, one set of such serial numbers running through all the Civil Court correspondence for the calendar year; the letter shall then be entered in the Register of Letters issued, in the prescribed form (Reg. 68); and the draft letter shall be docketed, the date of issue and the annual serial number being entered on the docket.

369. *Marking of serial number of letter.*—The serial number of the letter in its file shall also be marked in red ink on the docket of each letter, i. e., the first letter received or issued on a file shall be marked S. No. 1, the second letter received or issued shall be marked S. No. 2 and so on.

When a letter is received or issued, if it pertains to a previously existing file, the file shall be got out, and the next consecutive serial number of the series of that file shall be assigned to the letter.

370. *Office notes.*—Office notes relating to a correspondence shall be maintained in one continuous series and filed together and not interspersed between letters.

371. *Connected files.*—If a letter refers to, or be connected with, another file under the same or another head, that file shall be linked with the file to which the letter pertains, the files being separately tied up, but connected by a piece of tape. The linked files shall remain together until the file containing the reference or connection has been finally disposed of, when they shall be relegated to their proper places. a note being made on each that it was linked with the other on receipt of the letter.

372. *Division of files into two classes.*—Files shall be divided into two classes, namely—

- (1) Closed files, that is to say, files in which further correspondence is not expected; and
- (2) pending files, that is to say, files in which further correspondence may be expected.

373. *Correspondence Press.*—A separate press, divided into fifteen or more compartments, shall be reserved for closed files: and

over each compartment the head to which it is appropriated shall be noted. This press shall be known as the "Correspondence Press".

374. *Closed files*.—The closed files pertaining to each head shall be tied together between stiff boards in separate annual bundles of convenient size, and on the upper board shall be written the head and the year, or the portion of the year, to which the bundle relates.

No closed file should be out of its bundle, except when it is in actual use

375. *Pending files*.—Pending files shall be in two packets, those of:

- (1) files containing references that have been answered or require no answer, and
- (2) files containing references that are unanswered.

As soon as a pending file is closed, the entries in the General Register of Correspondence Files relating to it shall be completed, and it shall be entered in the File Index (Reg. 69) and removed from the packet of pending files and placed in its appropriate compartment in the correspondence press.

376. *File Index*.—In the file index a few pages shall be allotted to each head of correspondence; and to facilitate reference, the right-hand margin of the file index shall be so cut and numbered as to show where the entries under each head of correspondence are to be found.

377. *Reopening of closed file*.—If correspondence relating to a closed file be reopened, the file shall be withdrawn from the correspondence press and placed among pending files, with which it shall be kept till the renewed correspondence terminates. It shall then be returned to the correspondence press and placed in the bundle for the year, or the portion of the year, in which the renewed correspondence terminated. When a closed file is thus withdrawn and returned, a note of the date of withdrawal at the time the file is withdrawn and a reference to the bundle in which the file has been placed at the time the file is returned, shall be made in column of remarks against the former entry in the file index (Reg. 68). A slip of paper with a similar note recorded on it shall be placed in the bundle from which the file was withdrawn.

378. *Categories of General letters and circulars*.—(1) General letters and circulars fall under three categories:—

- (i) General letters and circulars containing no general instructions or orders, but only calling for information or explanation in regard to particular matters, (e. g., questions in Parliament or Legislative Assembly or Remarks in Audit Inspection Reports).
- (ii) General letters and circulars containing general instructions or orders, but of only ephemeral value, (e. g., declaring a certain day as a special holiday, or saying that the Registrar would be away during a

certain period and D. O. letters during this period should be addressed to the Deputy Registrar, or asking that monthly establishment bills for a certain month should be submitted before a certain date).

- (iii) General letters and circulars containing general instructions or orders of permanent or lasting importance, (e. g., saying that applications for leave should be submitted one month in advance of the date from which leave is required or that process-servers are entitled to T. A. when they travel by rail, or that evidence in sessions cases should be recorded in English).

(2) The general letters and circulars falling under the first category shall be treated as ordinary correspondence.

(3) The general letters and circulars falling under the second category shall be kept in one consolidated file without reference to the subject, to which the letter or circular relates.

(4) The file referred to in sub-rule (3) shall be styled Ephemeral Circulars and General Letters.

The general letters or circulars falling under the third category shall be entered in a single register (Reg. 70). They shall be, however, filed in separate file as follows:—

- (i) Circulars of the High Court (Civil).
- (ii) Circulars of the High Court (Criminal).
- (iii) Circulars of the Government.
- (iv) Circulars of the Board of Revenue.
- (v) Circulars of the accountant General.
- (vi) Circulars of the Inspector-General of Registration and Stamps.
- (vii) Circulars of the Inspector-General of Police.
- (viii) Other circulars.

To each file-book shall be prefixed an index in which the number, date and subject of each circular shall be entered at the time the circular is filed.

379. *Supply of copies of General & Circular letters.*—The District Judge shall arrange that copies of general letters and circular letters are supplied to all courts in the Judgeship.

When any general letter or circular letter relates to the duties of an Amin, or specially affects the work of any official, an additional copy shall be furnished to such Amin or official, who shall paste it into a file book and shall prefix to the file book an index containing the particulars mentioned in rule 378.

380. *Correspondence originating in a circular.*—If a circular gives rise to correspondence, the correspondence shall be kept in a separate file, a note being made on the first letter in the file that the circular referred to is pasted into its appropriate file-book, and a note bearing reference to the correspondence being recorded on the circular itself.

An extra copy or extract copy of the circular, as the case requires, may be placed on the correspondence file.

381. *Return Press for Periodicals Returns*.—A separate press, divided into as many compartments of varying sizes as there are periodical returns, shall be reserved for such returns, and over each compartment the description of the return to which it is appropriated shall be noted. This press shall be known as the "Return Press".

Correspondence relating to periodical return shall, like correspondence connected with circulars, be kept in separate files; and when closed, shall be placed in the correspondence press, a note bearing reference to the correspondence being recorded on the particular return.

382. *Lists of Returns and Reports due*.—In every office a list showing the returns and reports due, the office to which they are sent, and the date they are due shall be hung up near the Munsarim's table. A similar list shall be hung up in the Judge's Chamber. Every clerk responsible for preparing a return shall be given a similar list of those returns for which he is responsible, and such list shall be hung up near his table or place in the office.

383. *List of registers to be maintained*.—In every office, a list showing the registers to be maintained, and the official by whom each such register is to be maintained, shall be hung up near the Munsarim's table.

A similar list shall be hung up in the Judge's Chamber.

Every clerk responsible for maintaining any registers shall be given a similar list of those registers for which he is responsible and such list shall be hung up near his table or place in the office.

384. *Correspondence with High Court*.—In all correspondence with the Registrar of the High Court, the following instructions shall be observed:—

- (1) As a rule, the Registrar shall be addressed by letter and not by docket or endorsement.
- (2) A list of the enclosures accompanying a letter shall be made at the foot of it. Every judicial file shall be reckoned as a separate enclosure.
- (3) Where a demi-official letter is addressed to the Registrar, only one subject should be dealt with in one letter; a second subject should be made the subject of a second letter.

385. *Correspondence relating to suits and cases*.—Correspondence relating to suits, appeals or cases judicial, or non-judicial, shall be dealt with according to the following rules:—

- (1) Letters forming such correspondence shall be filed with the case to which they relate.
- (2) To indicate that the Presiding Officer considers no further action necessary in respect of any correspon.

dence, he shall write the word 'File' with his initials on the last letter. The Munsarim must then, after examining the previous papers, mark the last letter "Concluded and filed" before the correspondence is consigned with the case to the record room.

- (3) Every letter received should bear an order recorded on it by the presiding Officer, or the word "seen" with his initials, as an indication that he has seen it.

Judicial Officers, in corresponding with the High Court shall address their communications through the District Judge to the Registrar with the exception of notices and summonses issued by the High Court and served by Subordinate Courts, acknowledgment of records, and all correspondence relating to the case-work of the High Court which shall be addressed to the Deputy Registrar direct.

386. *Confidential letters*.—Confidential covers shall be addressed by name to the person who should open them. When a cover is so addressed, it should be opened only by the person whose name it bears (or in his absence by a responsible officer to be specified by him).

387. *Weeding of correspondence*.—(1) The papers of closed files in the office of the District Court and the Courts subordinate to it shall be weeded as follows:—

Reminders and office memoranda which are unnecessary for the understanding of the file and are not likely to serve any immediate separate purpose, shall be destroyed when the file is closed.

(2) Correspondence on or relating to the following subjects shall be retained for a period of one year from 1st January of the year succeeding that in which the file is closed:—

- (i) Medical examination of ministerial Officers.
- (ii) Leave, transfer and certificate of transfer of charge of ministerial Officers.
(These are to be retained for one year after entry in the service book).
- (iii) Verification of securities of public accountants and officials
(These are to be retained for one year after the next verification).
- (iv) Contingent bills.
- (v) Change of office hours.

(3) The following correspondence or correspondence on or relating to the following subjects shall be retained for a period of two years from 1st January of the year succeeding that in which the file is closed:—

- (i) Explanations of delay and letters calling for them.
- (ii) Covering dockets and letters on mere matters of routine such as those returning enclosures, etc., including those sent to and received from the High Court concerning

the grant of certificates to Legal Practitioners under Act XVIII of 1879.

- (iii) Explanations called for by the High Court on quarterly and annual statements.
- (iv) Periodical returns and reports.
- (v) Service and execution of processes of other courts
- (vi) Questions of practice and procedure, which have been subsequently settled by published rules of the High Court.
- (vii) Assessors.
- (viii) Impounding of documents, and also relating to fines and penalties.
- (ix) Printing and adjustment of charges.
- (x) Accountant General's objections on the establishment return
- (xi) Transmission of records.
- (xii) Entertainment of temporary extra copyists and weeders on temporary record room establishment.
- (xiii) Civil and criminal annual reports.
- (xiv) The preparation of list of legal practitioners willing to execute commissions.
- (xv) The Judicial calendar and holidays not specified therein.
- (xvi) The supply of repayment order books.
- (xvii) Process-serving establishment.
- (xviii) Correction of deposit accounts and lapsed deposit accounts.
- (xix) Cases transferred by order of the High Court.
- (xx) Reconciling of discrepancies in sale commission fee returns
- (xxi) Plus and minus memorandum of civil court deposits and objection of Accountant General regarding deposit accounts.
- (xxii) Appointment of, retirement of, or grant of pensions to, officials who are dead.

This rule refers only to correspondence, and not to periodical returns or reports themselves.

(4) Office copies of periodical returns excepting annual returns shall be retained for a period of three years from 1st January of the year succeeding that to which they relate.

(5) The following correspondence or correspondence on or relating to the following subjects shall be retained for a period of three years from 1st January of the year succeeding that in which the file is closed:—

- (i) *Appointment*:—In the case of temporary establishment. (The period of retention of the correspondence relating to appointment in the case of permanent establishment is thirty five years).

N. B.:—Care shall be taken to return all original testimonials to the applicant.

- (ii) Transfer, posting, charge, leave, drawing fresh increment of pay and last pay certificates of gazetted officers.
- (iii) Indents for printed forms, stationery and additional copies of circulars.

(iv) Gratuities to ministerial officers. (But the sanctioning order should be retained for *Twenty five Years* from the date of retirement of the pensioner or for *Three Years* from the date of his death whichever is earlier).

(v) Verification of services of ministerial officers.

(6) The following correspondence or correspondence on or relating to the following subjects shall be retained for a period of five years from 1st January of the year succeeding that in which the file is closed:—

(i) The distribution of territorial jurisdiction of Civil Courts.

(ii) Budgets.

(iii) Applications for additional grants.

(iv) Powers of officers.

(v) The annual vacation and arrangement of work during the vacation.

(vi) Payment of rent of buildings secured for Court Houses.

(vii) Travelling allowance bill books.

(7) The correspondence on or relating to salary bills of gazetted officers should be retained for six years from 1st January of the year succeeding that in which the file is closed.

(8) The following papers shall be retained for ten years, computed from 1st January of the year succeeding that in which the correspondence relating to them was weeded:—

(i) Estimate of Budgets.

(ii) Annual reports (Civil and Criminal), and returns.

(iii) Inspection notes, the High Court's orders thereon, and correspondence relating thereto.

(9) Correspondence on the following subject shall be retained until the Presiding Officer orders their destruction:—

(i) Correspondence relating to pensions.

(ii) Complaints against officials and correspondence relating thereto, if containing papers likely to be required by the Accountant General when application is made for pension or gratuity.

(iii) Correspondence relating to books, maps, furniture and repairs of Court Houses.

NOTE. 1.—The presiding Officer shall ordinarily order the destruction of records (i) and (ii) when there remains no possibility of the papers being required to answer a reference of the Accountant General. Ordinarily, in the case of (i), the sanctioning order shall be retained for twenty-five years from the date of retirement of the pensioner or for three years from the date of his death whichever is earlier and the other correspondence should be destroyed after three years. The correspondence relating to (ii) shall ordinarily be destroyed after the official has died or retired or has been removed.

NOTE. 2.—Such correspondence shall be laid before the Presiding Officer every year and he shall in the case of each file pass one of the following orders to be recorded on the first sheet:—

(a) that it be at once destroyed:

- (b) that it be retained for a period of one, five or ten years from 1st January of the next year;
- (c) that it be kept permanently;
- (d) that it be retained until further order be passed.

If the order described in (b) or (c) be passed, the file shall be placed with the files which are governed by paragraph (2), (5), (6), (8) above, as the case may be.

(10) Correspondence on or relating to the following subjects, and any other correspondence which the Presiding Officer shall in any particular case so direct, be retained permanently, namely:—

- (i) Assessment of taxes or rates on Civil Court buildings.
- (ii) Suits to which Government is a party.
- (iii) Revision of establishment.
- (iv) Creation and abolition of Courts.
- (v) Acquisition of land or other property by Government.
- (vi) Appointment of Honorary Munsifs, etc.:

Provided that the District Judge may from time to time direct the destruction, after ten years, of any such file or part of such file the preservation of which is, in his opinion, unnecessary.

(11) The service books of officials (Reg. 71) should ordinarily when they retire or are removed from service be delivered to them, or in the event of their death, to their legal representatives, if claimed within three years. If no claimant appears within that period, they shall be laid before the District Judge for orders, and shall then be either destroyed or retained for a further period as directed.

Any service book may be retained for special reason to be noted therein, and no official shall claim as of right the return of his service book.

Character rolls (Reg. 72) are the property of Government and, on the retirement or dismissal of an official, should be kept in the office where he was last employed subject to their being laid before the District Judge after three years for orders as to whether they should be retained or destroyed.

(12) In the month of May each year, the head clerk or such other officer as may be appointed by the District Judge in that behalf, shall examine the files affected by the preceding paragraphs, and having selected the papers to be destroyed, shall lay them before the Munsarim. When the Munsarim has satisfied himself that the papers are liable to destruction, he shall after obtaining the orders of the Judge, cause them to be sold as waste paper in accordance with the instructions given in rule 173, unless if he considers that any of them should be retained for a longer period, he shall submit such papers with a memorandum of the ground of his opinion for the orders of the District Judge. Notes and orders shall be treated as confidential papers.

388. *Adverse entry in the character roll.*—Every entry in the character roll which may adversely affect the promotion of the

official concerned must be communicated to him. Copies of the entries in such rolls will not be given.

389. *Issue of commendatory Parwanas or certificates of good character.*—The practice of issuing commendatory Parwanas or separate certificates of good character in the case of officials is strictly prohibited. Subordinates may, however, be granted on their retirement such special certificate of good work and conduct as may seem fit.

CHAPTER XV.

Library.

390. *General Registers of books and periodicals.*—(1) All Books in the library shall be entered in the General Register of books (Reg. 73) and also in the Classified Catalogue.

(2) Periodicals (e.g. Government Gazette or all India Reporter) which are eventually bound in volumes of a form different from that in which they are first received shall in the first instance be entered in the Register of Periodicals (Reg. 74). They shall be taken over in the General Register of Books and the Classified Catalogue (Reg. 75) when they are bound in the proper form.

391. *Classification and arrangement of books.*—Books shall be classified in the catalogue and arranged in the library, in the manner following:—

I. Collection of Acts, Ordinances and Regulations:—

- (i) Central.
- (ii) Rajasthan.
- (iii) Other States.

II. Special Acts, when printed separately.

III. Commentaries on Acts.

IV. Law Treatises.

V. Department Codes, Guides, Manuals and Circulars—

- (i) Judicial.
- (ii) Revenue.
- (iii) Finance and Accounts.
- (iv) Miscellaneous.

VI. Law Reports.

NOTE:—There shall be a separate sub-head for each separate series of law report e. g., A-I.R., I.C., I.L.R. (Allahabad), I.L.R. (Bombay) etc.

VII. Digests.

NOTE:—There shall be a separate sub-head for each separate series of digests.

VIII. Periodicals.

IX. Administration Reports:—

- (i) India.
- (ii) Rajasthan.
- (iii) Other States.
- (iv) Miscellaneous Departments.

X. Dictionaries, Glossaries, Lists and Directories.

XI. Miscellaneous.

Any additions or alterations to the heads or sub-heads given above may be made only with the sanction of the High Court.

392. *Room for library.*—The books composing the Library of each Court shall, if practicable, be collected together in a separate room assigned for the purpose.

393. *Librarian and his duties.*—In each office, an official, to be nominated by the District Judge, shall be specially placed in charge of the Library as Librarian.

It shall be the duty of the Librarian—

(1) to stamp the seal of the Court on the title page the tenth page and the last page of print of each book;

(2) to affix on the first page below the cover and on the lower portion of the back of every book received for deposit in the library a stamp or label in the following form:—

GOVERNMENT PROPERTY.

Gen. No.

Class

Sec. No.

Court of the

at

(3) to check the catalogue at the commencement of each year;

(4) as soon after 1st January as possible, the result of the check and a certificate as to the condition of the books in the Library;

(5) to issue books from the library in accordance with the rule following, and to see that no books are issued otherwise;

(6) to report the loss of any book from the Library as soon as discovered.

394. *Receipts for books taken out.*—When any officer requires a book from the Library, he shall send a receipt for it on a slip of paper, which shall be returned to him when the book is returned to the Library.

The Librarian shall enter in a book (Reg. 76) to be kept for that purpose;

(1) the name and number of each book removed from the Library on that day and not returned before the close of the day;

(2) the date when it was removed;

(3) the name of the person who received it; and

(4) the date when such book is returned to the library;

Every reasonable facility is to be afforded to Government Counsel to consult the law books in the Court's Library.

395. *Check of Books.*—The Librarian will submit to the Presiding Judge a quarterly list in January, April, July and October showing the books which have been out of the Library for more than three months who will then take necessary steps to secure the return

of the books unless there is good reason for their retention by the borrower.

396. *Loss of Books.*—When the loss of any book is reported, the District Judge will from the charge certificates of the clerks concerned during the year and after making necessary inquiries, decide whether the cost of the missing books should be recovered from them or from other person responsible.

397. *Binding of Books.*—Valuable books may, with the previous sanction of the High Court, be sent to be bound at the Government Press, but, where it can be done efficiently, books should be bound locally.

398. *Communication with Govt. Press by sub-court.*—Judges of Courts of Small Causes, Civil Judges and Munsifs shall communicate with the Superintendent, Government Press through the District Judge.

399. *Gazette.*—Gazettes shall be regularly filed and carefully bound into annual volumes.

400. *Books etc. not to be weeded.*—The following books and publications shall not be weeded without reference to the High Court:—

- (1) Collections of Acts, Ordinances and Regulations.
- (2) Commentaries on Acts.
- (3) Law Treatises,
- (4) Latest editions of the Manual of Government Orders, Book Circulars of the Board of Revenue, Service Rules, Treasury Manual, Financial Hand Books, Civil Account Code, standing Orders of the Accountant General and of the directions and Manuals (including circulars) of the various departments; also single copies of superseded editions of the above.
- (5) Law Reports.
- (6) Digests.
- (7) Government Gazettes.
- (8) Civil statements and note, criminal statements and note, revenue administration reports, Police administration reports, Registration department reports, Census Reports and appendices.

401. *Publications which may be weeded.*—District Judges may weed out the following publications without reference to the High Court:—

- (1) Duplicate copies of superseded editions of publications mentioned in rule 400.
- (2) Superseded editions of village directories, histories of gazetted officers and civil and army lists.

402 *Weeding of valuable books.*—When it is proposed to weed duplicate copies of works of any value, reference should be made to the High Court for information as to whether the books are required elsewhere.

403. *Sale of books etc.*—Non-official publications and official publications which have been priced for sale to the public should, if it is decided to weed them under these instructions, be sold to the best advantage. All such publications shall, prior to sale, be stamped inside the cover "Sold by order of the Court" For this purpose a special stamp will be applied on application made to the Registrar.

CHAPTER XVI

Probate and Administration.

404. *Forms.*—The following forms shall be used in cases under the Indian Succession Act (No. XXXIX of 1925):—

- (i) Form of engagements of Curator (F. 32);
- (ii) Form of security bond (F. 33);
- (iii) Form of Sanad (F. 34);
- (iv) Form of Citation under section 283 (F. 35).

405. *Minor's age to be given in certain applications.*—In cases where an application is made under sections 278 and 279 of the Indian Succession Act (No. XXXIX of 1925) for a limited grant *durante minore aetate*, the court shall require the applicant to state in his application the age of the minor and to verify such statement by affidavit.

Notes

Section 278 of Indian Succession Act prescribes the particulars for application for Letters of Administration. Section 279 of the Act refers to additional particulars required for application to obtain Probate of a will or Letters of Administration. This rule prescribes further particulars in case of application for limited grant as referred in the rule.

406. *Security bond in Probate cases.*—The form of Administration bond (F. 36) shall, with necessary changes, be used in the cases of probate also.

407. *Notice of application for probate.*—(1) On an application for grant of Probate or Letters of Administration being filed, the District Judge shall send to the Collector, together with the notice under section 19 H (1) of the Court-fees Act, (No. VII of 1870), as adapted to Rajasthan, a copy of the valuation of property of the deceased, if the valuation is filed at the same time as the application, or if it is filed on a subsequent date as soon as it is received.

Details of property in the grant.—(2) When a grant is made under section 289 or section 290 of Act No. XXXIX of 1925, the Court making the same shall, in cases in which property beyond the limits of the State is affected append, to the grant a Schedule setting out the value of the property situate beyond the limits of the State and affected by the grant.

Notes

Sections 289 and 290 of the Act refer to the grant of Probate and Letters of Administration respectively.

408. *Executor or Administrator's Accounts.*—The inventory and account to be furnished by an Executor or Administrator shall be in Forms Nos. 37 and 38 respectively and shall be verified in the manner following:—

“I, _____ the Executor (or Administrator) named in the above inventory, do hereby declare that the said inventory is in every respect true, perfect and correct, to the best of my knowledge, information and belief, and that the same contains a full, true and perfect inventory of all the property in the possession of the deceased _____ at the date of his death, and of all credits owing to him, and of all debts owing by him; or “I, _____ the Executor (or Administrator) named in the above account, do hereby declare that the said account is true, perfect and correct to the best of my knowledge, information and belief, and that it gives a full, true and perfect account of all the estate and effects of the deceased _____ which has or have come into my hands, possession, power, control, custody or knowledge, and of the disposition of the same”

409. *Notice of application for grant of Succession Certificate.*—Under section 373, clause 1 (b), Act No. XXXIX of 1925, notice of application for grant of a succession certificate shall be given,—

- (1) by posting a proclamation on the notice-board of the court;
- (2) by posting a duplicate thereof on the house of the deceased;
- (3) by beat of drum in the ‘muhalla’ of the town or the village in which the deceased last resided.

CHAPTER XVII

Rules Relating to certain Enactments of the Legislature - SECTION A.

The Indian Divorce Act (Act No. IV of 1869).

410. *Confirmation of decree for dissolution of marriage by the High Court.*—No decree for dissolution of marriage or of nullity of marriage by a District Judge shall be confirmed by the High Court until after the expiration of six months from the pronouncing of the decree by the District Judge.

SECTION B.

Indian Oaths Act (Act No. X of 1873).

411. *Forms of oaths and affirmations.*—The following forms of oaths and affirmations are prescribed by the High Court under section 7 of the Indian Oaths Act, 1873:—

(1) *Oath for witness*—“The evidence which I shall give to the court shall be the truth, the whole truth, and nothing but the truth. So help me God”.

(2) *Affirmation for witness*—“I solemnly affirm that the evidence which I shall give to the court shall be the truth, the whole truth, and nothing but the truth.”

(3) *Oath for interpreter*—"I will well and truly interpret what is deposed by the witness (or witnesses) before the Court. So help me God."

(4) *Affirmation for interpreter*—"I solemnly affirm that I will well and truly interpret what is deposed by the witness (or witnesses) before the court".

(5) *Oath for person making affidavit*—"I swear that this my declaration is true; that it conceals nothing; and that no part of it is false. So help me God".

(6) *Affirmation for person making an affidavit*—"I solemnly affirm that this my declaration is true; that it conceals nothing; and that no part of it is false".

Notes.

The forms in this rule have been prescribed in pursuance of power given under section 7 of the Indian Oaths Act.

SECTION C.

Guardian and Wards Act (Act No. VIII of 1890).

412. *Costs of an application under section 8 of Act No. VIII of 1890*.—When the Court does not allow out of the estate the costs of an application made by the Collector of the District under section of Act No. VIII 1890, the court shall record the special circumstances in consequence of which it has not allowed such costs out of the estate.

413. *Copy of petition under section 10 of Act No. VIII of 1890*.—Whenever the petition made under section 10 of Act No. VIII of 1890 states that the property of the minor consists of land or any interest in land, a copy of the petition shall be sent free of charge to the Collector of the District in which such property or any part of it is situate.

Notes.

Section 10 of the Guardians and wards Act prescribes the form of petition under the Act and the particulars required under the same

414. *Form for appointments or declarations of guardianship for property*.—The following form shall be used for appointments or declarations of guardianship for property made under section 7 of Act No. VIII of 1890 in cases in which a person other than the Collector or a guardian appointed by will or other instrument is appointed to be the guardian of the property of a ward:—

'Form of appointment under section 7 of Act No. VII of 1890.

"Whereas this Court has, under the provisions of section 7 of Act No. VIII of 1890, been pleased to appoint you A. B. (or to declare you A. B. to be) guardian of (*the property or the person and property*) of C. D. during the period of his minority, to wit, till the day of the month of 19subject to the provisions contained in the Act and particularly those provisions contained in sections 32, 39 and 40 of the Act aforesaid, you are hereby authorized to take charge of the property of the minor in trust, to collect

and pay all just debts, claims and liabilities due to or by the estate of the minor, to institute or defend suits connected with that estate, and generally do and perform, all acts which may be necessary to the due discharge of the trust vested in you: Provided always that you shall not mortgage, or charge or transfer by sale, gift, exchange or otherwise, any part of the immovable property of your ward, or lease any part of that property for a term exceeding five years or for any term extending more than one year beyond the date on which your ward will cease to be a minor, without the express sanction of this court previously obtained; and that you shall keep regular accounts of your receipts and disbursements, with all vouchers and other documents necessary to establish their correctness.

Notes

Sub-section (1) of section 7 of the Act requires that,—(1) Where the Court is satisfied that it is for the welfare of a minor that order should be made—

- (a) appointing a guardian of his person or property, or both, or
- (b) declaring a person to be such a guardian, the Court may make an order accordingly.

The above prescribed form is to be pursuance of an order under this Section.

415. *Forms of engagement of curator and of security bond.*—The forms of engagement of curator and of security bond (F. 32 and F.33) shall be used, *mutatis mutandis*, for the personal and security bonds required from a guardian under section 34 (a) of Act No. VIII of 1890.

416. *Audit of accounts.*—(1) In all cases where accounts have been exhibited under section 34 (c) and the annual receipts after deduction of taxes, land revenue and cesses exceed Rs. 100, the court must have the accounts audited as provided below:

(2) Where the receipts mentioned above do not exceed Rs. 2000, the court shall have the accounts audited by such person or agency as it thinks fit. When such annual receipts exceed Rs. 2000, the court shall appoint for auditing the accounts an Examiner of Local Fund Accounts or a person holding a certificate under section 144 of the Indian Companies Act, 1913, or a person who is a member of any institution or association, the members of which have been declared under that section to be eligible to act as auditors of companies throughout India. If a qualified auditor as described in this sub-rule is not available, the accounts shall be audited by such person or agency as the court may direct.

(3) The remuneration of the person so appointed to audit the aforesaid accounts shall be calculated on the amount of the total receipts of all the years audited, after deducting taxes, land revenue and cesses; at 2 percent on the first Rs. 2000, and 1 percent on the rest.

417. *Register of accounts.*—A register of accounts furnished by guardians under the Guardian and Wards Act (VIII of 1890) shall be maintained in the prescribed form (Reg, 77) by all courts ordering guardians to file accounts periodically.

Notes.

Rules 415, 416 and 417 have been framed in pursuance of section 34 of the Act which reads as under:—

Where a guardian of the property of a ward has been appointed or declared by the Court and such guardian is not the Collector, he shall,—

- (a) If so required by the Court, give a bond as nearly as may be in the prescribed form, to the Judge of the Court to enure for the benefit of the Judge for the time being, with or without sureties, as may be prescribed, engaging duly to account for what he may receive in respect of the property of the ward;
- (b) if so required by the Court, deliver to the Court, within six months from the date of his appointment or declaration by the Court or within such other time as the Court directs, a statement of the immovable property belonging to the ward, of the money and other movable property which he has received on behalf of the ward up to the date of delivering the statement, and of the debts due on that date to or from the ward;
- (c) if so required by the Court, exhibit his accounts in the Court at such times and in such form as the Court from time to time directs;
- (d) if so required by the Court, pay into the Court at such time as the Court directs the balance due from him on those accounts, or so much thereof as the Court directs; and
- (e) apply for the maintenance, education and advancement of the ward and of such person as are dependent on him, and for the celebration of ceremonies to which the ward or any of those persons may be a party, such portion of the income of the property of the ward as the Court from time to time directs, and if the Court so directs, the whole or any part of that property.

SECTION D.

Indian Registration Act (Act No. XVI of 1908).

418. *Certain cases of Registration of documents to be reported to the District Registrars.*—The Presiding Judges of all Civil Courts other than District Courts shall report to the District Registrar of their district all cases which come before them in which there is reason to believe that there has been misconduct, negligence or irregularity on the part of the Registering Officers in the registration of any document tendered in evidence or otherwise coming before the Courts.

SECTION E

Insolvency Proceedings

419. *Forms to be used.*—These rules may be cited as "The Rajasthan Insolvency Rules". The Forms Nos. 39 to 55, appendix B and Registers Nos. 78 to 86, Appendix C in Volume II, with such variations as circumstances may require shall be used for the matters to which they severally relate.

420. *Insolvency petition.*—Every insolvency petition shall be entered in the Register of Insolvency Petitions (Reg. 51) to be maintained in all Courts exercising Insolvency Jurisdiction and shall be given a serial number in that register and all subsequent proceedings in the same matter shall bear the same number. The person presenting the petition shall file a copy also for the Receiver.

421. *Inspection of insolvency proceedings.*—All insolvency proceeding may be inspected by the Receiver, the debtor, and any creditor who has tendered proof of his debt, or any legal practitioner on their behalf at such times and subject to the same rule as other court records.

No fee shall be charged for inspections made by a Receiver.

NOTICES

422. *Publication of a Notice in the official gazette or local newspaper.*—Whenever publication of any notice or other matter is required by the Act, to be made in an official Gazette; or is required by the rules framed under the Act to be made in local newspaper, a memorandum referring to and giving the date of such advertisement together with a copy of the sheet of the newspaper containing such advertisement shall be filed with the record and noted in the order-sheet.

423. *Notice of date of hearing to be advertised in a newspaper.*—Notice of an order fixing the date of the hearing of a petition under section 19 (2) shall, in addition to or in lieu of the publication thereof in the local official gazette, be advertised in such newspaper or newspapers as the court may direct.

A copy of the notice shall also be forwarded by registered letter to each creditor to the address given in the petition. The same procedure shall be followed in respect of notices of the date for the consideration of a proposal for composition or scheme of arrangement under section 38 (1).

Notes

Section 19 of the Act requires the Court to make an order fixing a date of hearing of an insolvency petition after its admission. Sub-section (2) of section 19 requires the notice of this order to the creditors in the prescribed manner and this rule prescribes the same.

Section 38 of the Act requires the notice to all creditors with regard to debtor's proposal for composition and schemes of arrangement. Such notice is also required to be in accordance with this rule.

424. *Notice of an order of adjudication to be also published in a local newspaper.*—Notice of an order of adjudication under section 30 which is required by the Act to be published in the local official gazette shall also be published in such local newspaper or newspapers as the court may think fit. When the debtor is a Government servant, a copy of the order shall be sent to the Head of the office in which he is employed.

The same procedure shall be followed in regard to notices or orders annulling an adjudication under Section 37 (2).

Notes

Section 30 of the Act requires the publication of order of adjudication in the official gazette and in such other manner as may be prescribed. This rule accordingly prescribes the procedure in this regard. The same procedure is to be followed for the publication of notice of every order annulling an adjudication under section 37 of the Act.

425. *Notice under section 50.*—The notice to be given by the Court under section 50 shall be served on the creditor or his pleader or shall be sent through the post by registered letter.

426. *Notice under section 64.*—The notice to be issued by the Receiver under section 64 before the declaration of a final dividend to the persons whose claims to be creditors have been notified, but not proved, shall be sent through the post by registered letter.

427. *Notice under section 41 (1).*—Notices of the date of hearing of applications for discharge under section 41 (1) shall be published in the local official Gazette and in such local newspapers as the Judge may direct and copies shall be sent by registered post to all creditors whether they have proved or not.

428. *Certificate of a Notice having been duly posted.*—A certificate of an officer of the court or of the official Receiver or an affidavit by a Receiver that any of the notices referred to in the preceding rules has been duly posted accompanied by the post office receipt, shall be sufficient evidence of such notice having been duly sent to the person to whom the same was addressed.

429. *Other methods of publication of a notice.*—In addition to the prescribed methods of publication, any notice may be published otherwise in such manner as the court may direct for instance, by affixing copies in the court house or by beat of drum in the village in which the insolvent resides.

430. *Registration envelopes to be supplied by the parties.*—The insolvency clerk shall not receive any money for issuing registered letters, etc. under any of the aforesaid rules, but registration envelopes for the purpose shall be supplied by the parties and the postal receipts of registered letters, etc. shall be placed on the record and noted in the index.

431. *Charges for publication of a notice.*—A fixed amount of Rs. 8-6-0 will be charged on account of the publication of a notice under the Provincial Insolvency Act (V of 1920), in the official gazette. These charges include a sum of (annas 6) to cover the cost of the copy of Part II of the Gazette, which will be supplied free of cost by the Superintendent, Government Press to the court concerned. These charges shall be deposited by the party concerned in the Treasury and will be accounted for there as a receipt of the Superintendent, Government Press.

Note.—The Court may instead of or in addition to forwarding a notice by registered post under the foregoing rules cause it to be served in the manner prescribed for the service of summons.

RECEIVERS.

432. *Appointment of a receiver.*—Every appointment of a Receiver shall be by order in writing signed by the Court. Copies of this order sealed with the seal of the court shall be served on the debtor, and forwarded to the person appointed.

433. *Appointment of Collector as Receiver.*—A court before appointing the Collector a Receiver under section 20 or 56, shall give the Collector sufficient time to obtain the orders of the higher revenue authorities.

434. *Remuneration of a Receiver.*—(1) A court when fixing the remuneration of a Receiver shall, as a rule, direct it to be in the nature of a commission or percentage of which one part shall be payable on the amount realized by the Receiver, and the other part on the amount distributed in dividends.

The part payable on the amount realized by the Receiver shall not usually be more than 4 percent, and the part on the amount distributed in dividends should not usually be more than 1%. If any remuneration in excess of the percentages fixed above is paid, the court shall record its reason before allowing the remuneration.

(2) The court may direct additional remuneration to the Receiver—

- (i) Where, in the interest of the estate, he incurs expenditure in travelling;
- (ii) where he being a lawyer performs work for which a lawyer would otherwise have been employed; and
- (iii) where a composition is proved under section 38 and the remuneration payable to the Receiver under clause (1) of this rule appears insufficient.

(3) Where the Receiver performs the work of a lawyer as described in sub-clause (ii) of clause (2), the court deciding the matter in which the Receiver appears, will fix a suitable fee, not exceeding the full legal fee payable to a lawyer, as the fee payable to the Receiver. The Receiver need not file a certificate of fees. The amount so assessed shall be taxed as costs in the decree or order and will represent the additional remuneration payable under the said clause (2) (ii) to the Receiver.

(4) Where the adjudication is annulled, or where the insolvent settles his affairs with his creditors out of court, the court may allow to the Receiver any additional remuneration over and above what may be payable to him under clause (2) that it thinks fit, provided that, in any case the total amount allowed shall not exceed the total amount that could have been paid under clause (1) if the case had come to its conclusion; provided also that the additional remuneration under sub clauses (i) and (ii) of clause (2) shall not be taken into consideration in calculation in calculating the total amount payable under clause (1).

435. *Keeping of accounts by a Receiver.*—The Receiver shall keep a cash book (Reg. 78) and such books and other papers as to give a correct view of his administration of the estate, and shall submit his accounts in such forms as the court may direct. The court shall, when appointing a Receiver other than an Official Receiver, order in each case, as to what extent the procedure for keeping accounts, enjoined by Rule 443 in respect of Official Receivers, shall be followed by him.

436. *Deposit of all moneys by the Receiver in the court or in a bank.*—The Receiver, shall ordinarily deposit all moneys realized by him either in the court or in a bank approved by the court, in

the name of the court, keeping in his hands only such cash as is sanctioned by the court, and shall submit to the court at the end of every quarter, not later than the tenth day of the month succeeding the quarter in respect of all the estates in respect of which he is the Receiver, an account (Ret. 30) showing:—

- (i) the total amount deposited in court;
- (ii) the total amount in current account or in fixed deposit bearing interest, in a bank in the name of the court; and
- (iii) all cash in his hands.

437. *Quarterly accounts.*—The Receiver shall submit to the court each quarter, not later than the tenth day of the month next succeeding the quarter to which it relates an account (Ret. 31) showing all the receipts and disbursements in the case or cases in which he is Receiver.

438. *Expense of attachment of property to be borne by the creditor.*—Where there are no funds in the estate, any creditor, desiring the Receiver to attach property, shall file an application supported by an affidavit and a guarantee that he will pay all expenses incurred. A deposit of Rs. 5 shall accompany the guarantee, and all expenses shall be borne by the creditor, who can obtain a refund from the sale proceeds. The Receiver shall show in the accounts of the estate all sums received under this rule.

439. *A creditor may apply for a copy of the Receivers Accounts.*—Any creditor who has proved his debt may apply to the court for a copy of the Receiver's accounts (or any part thereof) relating to the estate, as shown by the cash-book upto date and shall be entitled to such copy on payment of the charges laid down in the rules of this court regarding the grant of copies. No court fee will be required for such copies.

440. *Composition or scheme under section 38.*—In any case in which a meeting of creditors is necessary and in any case in which the debtor proposes a composition or scheme under section 38, the Receiver shall give at least 14 day's notice to the debtor and to every creditor of the time and place appointed for each meeting. Such notices shall be served by registered post.

441. *A Copy of order made or act done by the official Receiver.*—Orders made or acts done by the official Receiver in the exercise of his powers under the Act, shall be recorded in writing with full reasons and any person aggrieved thereby shall be entitled to a copy of such record on application made to the Receiver on payment of Re. 1 to the Receiver for each copy. The Receiver will be entitled to the money and will provide the copy at his own cost.

442. *Monthly statements of the work done by the Receiver.*—The Receiver shall, on the first working day of each month, file in the court a brief statement (Ret. 12) of the work done by him in the previous month and the dates on which the work was done. In case of sales he shall also give a complete list of the properties sold by

him, their estimated values and the prices actually received for them at the sales.

MAINTENANCE OF ACCOUNTS BY OFFICIAL RECEIVERS.

443. *Special provisions for maintenance of accounts of Insolvents estates.*—The following special provisions shall be followed in respect of the maintenance of accounts of insolvents estates by official receivers:—

GENERAL.

(1) Figures in the accounts shall be in English characters. Books of accounts shall be substantially bound and paged before being brought into use.

(2) Corrections and alterations shall be neatly made in red ink and initialled and dated by the Official Receiver. Erasures and over-writings shall on no account be permitted in registers, statements, vouchers or accounts of any description.

RECEIPT AND CREDITING OF MONEY.

(3) All moneys received by the Official Receiver in his official capacity on behalf of any insolvent estate under his management shall, without any reservation, be promptly accounted for in the general cash book to be maintained in form of Register No. 78. When money is received in cash, a receipt in Form No. 51 shall be prepared and signed by the Official Receiver or such other person as the court may direct. While authorising any such person to collect income, the court may decide whether any security, and if so for what amount, should be furnished by him.

(4) When income of zamindari property is collected through the collecting agent, he shall keep a progressive total on the counter-foils of receipts referred to in clause (iii) of sub-rule (12), and remit in tact all such collections to the Official Receiver at such intervals as may be fixed by the court.

(5) The Official Receiver shall deposit all moneys received by him in the Imperial Bank of India or in a Post Office Savings Bank in the name of the court, keeping in his hands only such cash as is sanctioned by the Court. An account may be opened in some other bank also with the previous approval of the Government. In places where there is no branch of the Imperial Bank of India or any other suitable bank approved by Government, the insolvency funds shall be deposited in the Treasury in a separate Personal Ledger Account styled as "Official Receiver's Account" to be administered by the District Judge or by such other Presiding Officer as may be authorized by the District Judge in this behalf. He shall open a single current account in the bank in his official capacity for moneys belonging to all the insolvent estates under his management. If there is a large balance at the Credit of any particular estate, such portion thereof as is not likely to be required in the near future

may be transferred from the general account to the fixed deposit account or Savings Bank Account in the name of the estate concerned, and the interest accruing on such deposits shall be credited to the ledger account of that estate.

(6) The cash in the hands of the Official Receiver shall not exceed the amount fixed by the Court to meet emergent petty expenses.

(7) The cash book shall be closed, balanced and signed by the Official Receiver at the end of each month and the balance compared with that of the bank pass book and the fixed deposit receipts; the differences, if any, being explained in a footnote in the cash-book. The cash-book shall be laid before the insolvency court once a quarter along with the quarterly statement referred to in sub-rule 8 for scrutiny and signature.

PERSONAL LEDGER.

(8) A separate ledger account in the prescribed form (Reg. 79) shall be maintained by the Official Receiver for each estate in his management. Items of receipt and expenditure shall be carried to these ledgers from the cash-book, as soon as the transaction occurs. At the end of each quarter, the entries of the ledger shall be totalled and then the ledger shall be put up before the court for inspection.

A statement (Ret. 31) shall be prepared at the end of the each quarter.

NOTE—The grand total of the balances of all the estates shall be made to agree with the balance shown in the cash-book at the end of the quarter concerned and a certificate to that effect endorsed by the Official Receiver on the statement.

RECORD OF MOVABLE AND IMMOVABLE PROPERTY.

(9) As soon as the official Receiver takes charge of an insolvent's property, he shall prepare an inventory thereof, and submit it for the information of the court.

(10) The details of the property of the insolvent, shall be entered from the inventory referred to in the preceding rule, in the register of movable and immovable property described in Sub rules (11) and (12).

(11) A register of movable property shall be maintained in the prescribed form (Reg- 80) in which separate pages shall be allotted for the entries relating to each estate. When the property or a portion of it is disposed of by sale or otherwise, columns 6 to 8 of the register shall be posted. If the sale proceeds are immediately realized, they shall be brought to account directly in the cash-book. If they are to be realized subsequently or by instalments, the demand shall be entered in the Register of Miscellaneous Demands in the prescribed form (Reg. 81) and a reference to the entry in the demand register shall be quoted in the remarks column of the property register against the entry concerned.

(12) A register of immovable property shall be maintained in the prescribed form (Reg. 82) and the instructions regarding the maintenance of the register of movable property contained in the preceding Sub-rule shall as far as possible be observed in the maintenance of this register as well. When houses and shops belonging to an estate are given out on rent, or Zamindari property is leased out, the realization of the demand shall be watched through the Register of Miscellaneous Demands (Reg. 81), a reference being made in the remarks column of the Register of Immoveable Property against the entry concerned. When Zamindari property is under direct management the collecting agent shall be required to keep the following records:—

- (i) A copy of the Patwari's Khatauni.
- (ii) A Bahi Khata in the prescribed form (Reg. 83) in which all demands on account of current and arrear rents, sayar and manorial dues, etc. shall be recorded.
- (iii) A receipt book in Form No. 52 which shall bear printed book and serial number.
- (iv) A Statement (Ret. 57) of demand, collection and balances, etc. estatewise and giving also grand totals, to be prepared from the bahikhata at the close of the revenue year. The statement shall be put before the court for its information and necessary orders as soon as it is ready.

(13) If property is sold by auction, a list of bidders shall be drawn up showing the following particulars; the last bid being initialed by the sale officer as well as the purchaser:—

- (i) Date of auction.
- (ii) Particulars of Property sold showing its number or quantity.
- (iii) Reference to property register.
- (iv) Names of bidders.
- (v) Amount of each bid.

(14) In the case of auction held by recognized firms of auctioneers, the list mentioned above may be dispensed with but a sale account should be obtained from the auctioneer and kept on record. It may also be dispensed with under the special orders of the Insolvency Judge when the property sold is movable and consists of petty items.

REGISTER OF BOOK DEBTS.

(15) The Official Receiver on taking over charge of an estate shall prepare a list of book debts and other money assets, such as decrees, bonds, mortgage deeds, Government and other securities, etc. The list shall be submitted to the Court for information and copied in the Register of Book Debts in the prescribed form (Reg. 84)

Each class of assets shall be entered separately in this register, a reference to the inventory or other document being made against the entry concerned in the column of remarks. If a book debt or a portion thereof is remitted by the court, the order shall be quoted in the column of remarks. Decrees for money and or costs obtained by

the Official Receiver subsequently for or on behalf of the estates of the insolvent shall be entered in this register as well as in the Register of Miscellaneous Demands (Reg. 81).

REGISTER OF DIVIDENDS.

(16) All debts due by an estate shall be recorded in the register in the prescribed form (Reg. 85) as soon as they are admitted. When dividends are distributed, the entries of their payment shall be made in columns 6 to 8. Sufficient space should be allotted for the account of each creditor to admit of the entries of dividends paid on different occasions being made at the same place.

PAYMENTS.

(17) Each payment made from the funds of an insolvent estate shall be supported by a payment voucher which shall bear an order of payment from the Official Receiver. Small sums shall be paid from the cash in hand of the Official Receiver, while large payments on account of dividends and other items shall be made by cheque which should, as far as possible, be in the name of the actual payee.

(18) The payment vouchers shall be serially numbered for each month and kept in a guard file along with the actual payee's receipts. In case of petty items in which payee's receipts cannot be conveniently obtained, the court may furnish a disbursement certificate which shall be attached to the voucher concerned. The Official Receiver, however, may give a disbursement certificate for petty items up to a rupee.

REGISTER OF SUITS.

(19) With a view to watch the progress of expenditure on the suits instituted or defended by the Official Receiver on behalf of an estate, a register of suits in the prescribed form (Reg. 86) shall be maintained, expenditure being posted immediately as it occurs.

AUDIT.

(20) The accounts kept by the Official Receiver shall be audited annually by the Examiner, Local Fund Accounts, except when the income of the estate is below Rs. 20/- per annum.

Before the accounts of an estate are finally closed, a reasonable amount should be reserved for the cost of audit which shall have preference over the remuneration of the Official Receiver.

(21) The audit fees to be charged to the estate shall be at the following rates:—

Particulars of estates	Rates of audit fee per estate.	
	Rs.	as.
1. Estates with income of Rs. 20/- but below Rs. 100/- per annum	2	0
2. Estates with income of Rs. 100/- to Rs. 300/- per annum.	5	0
3. Estates with income of Rs. 301/- to Rs. 500/- per annum.	7	0

4. Estates with income of Rs. 501/- to Rs. 750/- per annum.	10	0
5. Estates with income of Rs. 751/- to Rs. 1000/- per annum.	12	8
6. Estates with income of above Rs. 1000/- per annum	Rs. 1/4/-per-	
	cent on the	
	total income	
	of the estate.	

Such fees shall be credited in the Treasury when payable to the Examiner, Local Fund Accounts, by triplicate challan.

N. B.—Income means whatever amount is received from the estate of the Insolvent either by its transfer or in the shape of periodic yield e. g., Zamindari profits rent interest on deposits, realisations from decrees or undecreed debt, dividends etc.

(22) The Official Receiver shall, at the time of audit, cause to be produced all accounts, registers, documents and subsidiary papers, which may be required by the audit officers, to assist them in their investigation.

(23) The objection statements issued by the auditor in the course of audit, shall be returned to him promptly and in any case before the close of audit, with notes showing the action which has been taken or which it is proposed to take to settle the objections raised, over the signature of the Official Receiver. The auditor shall return for further action any items on which final or sufficient action has not, in his opinion, been taken, and when possible, shall before leaving the station, bring to the personal notice of the court, items which have not been disposed of.

(24) The result of each audit shall be communicated to the court in two parts, viz., (i) the objection statement, containing outstanding objections dealing with technical irregularities, omissions and defects and (ii) the audit note dealing with matters of a general and important nature, which require the particular attention of the court or higher authority.

(25) The court shall consider the audit note and the objection statement as soon as possible after their receipt, and decide the action to be taken in regard thereto. The action taken shall be indicated on an interleaved copy, or on the margin of the audit note, and on the objection statement, which shall be placed before the audit officers at their next visit.

PROOF OF DEBTS.

444. *Proof of debts.*—A creditor's proof may be in Form No. 53 in Appendix B with such variations as circumstances may require.

In order to give effect to section 48, clause (2), every proof of debt shall also specify:—

- (i) the original amount advanced;
- (ii) the contract rate of interest;

- (iii) the interest due at the contract rate on date of admission of petition;
- (iv) the interest due at six per cent on the date of admission of petition.

In the case of Court decrees which include a decree for interest at a contract rate higher than six per cent, the proof shall show the principal amount sued for and the amount of interest due at six per cent on the date of decree, as well as costs given by the decree.

Notes

This rule has been framed for putting into effect the provisions of section 48 of the Act which reads as under :—(1) On any debt or sum certain whereon interest is not reserved or agreed for, and which is overdue when the debtor is adjudged an insolvent, and which is probable under this Act, the creditor may prove interest at a rate not exceeding six per annum—

(a) if the debt or sum is payable by virtue of a written instrument at a certain time, from the time when such debt or sum was payable to the date of such adjudication ; or

(b) if the debt or sum is payable otherwise, from the time when a demand in writing has been made giving the debtor notice that interest will be claimed from the date of the demand until the time of payment to the date of such adjudication.

(2) Where a debt which has been proved under this Act includes interest or any pecuniary consideration in lieu of interest or consideration shall for the purposes of dividend be calculated at a rate not exceeding six per cent per annum, without prejudice to the right of a creditor to receive out of the debtor's estate any higher rate of interest to which he may be entitled after all the debts proved have been paid in full.

445. *Proof of claims for wages by workmen employed by debtor.*—In any case in which it shall appear from the debtor's statement that there are numerous claims for wages by workmen and others employed by the debtor, it shall be sufficient if one proof for all such claims is made either by the debtor or by some other person on behalf of all such creditors. Such proof should be in Form No. 54 in appendix B.

PROCEDURE WHERE THE DEBTOR IS A FIRM.

446. *Procedure in case of a debtor or creditor being a firm.*—Where any notice, declaration petition or other document requiring attestation is signed by a firm of creditors or debtors in the firm's name, the partner signing for the firm shall also add his own signature, e.g., "Radhakrishnan and Co., by Jamma Lal, a partner in the said firm."

447. *Personal service of a notice in case of a firm.*—Any notice or petition for which personal service is necessary shall be deemed to be duly served on all members of a firm if it is served at the principal place of business of the firm within the jurisdiction of the Court upon partners or upon any person having at the time of serving the control or management of the partnership business there.

448. *Person carrying on business in a name or style other than his own.*—The provisions of the last preceding rule shall, so far

as the nature of the case will admit, apply in the case of any person carrying on business within the jurisdiction in a name or style other than his own.

449. *Filing of an insolvency petition by a firm of debtors.*—Where a firm of debtors file an insolvency petition, the same shall contain the name in full of the individual partners and, if such petition is signed in the firm's name, the petition shall be accompanied by an affidavit made by the partner who signs the petition showing that all the partners concur in the filing of the same.

450. *Operation of an adjudication order against a firm.*—An adjudication order made against a firm shall operate as if it were an adjudication order made against each of the persons who at the date of the order is a partner in that firm.

451. *Partnership of debtors.*—In cases of partnership, the debtors shall submit a schedule of their partnership affairs and each debtor shall submit a schedule of his separate affairs.

452. *Compositions or Schemes of arrangement by joint creditors.*—The joint creditors and each set of separate creditors may severally accept compositions or schemes of arrangement. So far as circumstances will allow, a proposal accepted by joint creditors may be approved in the prescribed manner notwithstanding that the proposal or proposals of one or some of the debtors made to his or their separate creditors may not be accepted.

453. *Compositions or Schemes by a firm and by the partners individually.*—Where proposals for compositions or schemes are made by a firm and by the partners therein individually, the proposal made to the joint creditors shall be considered and voted upon by them apart from every set of separate creditors; and the proposal made to each separate set of creditors shall be considered and voted upon by such separate set of creditors apart from all other creditors. Such proposal may vary in character and amount. Where a composition or scheme is approved, the adjudication order shall be annulled only so far as it relates to the estate, the creditors of which have confirmed the composition or scheme.

454. *Where two or more of the partners may constitute a separate and independent firm.*—If any two or more of the members of a partnership constitute a separate and independent firm, the creditors of such last-mentioned firm shall be deemed to be a separate set of creditors, and to be on the same footing as the separate creditors of any individual member of the firm. And when any surplus shall arise upon the administration of the assets of such separate or independent firm, the same shall be carried over to the separate estates of the partners in such separate and independent firm according to their respective rights therein.

APPLICATIONS AND NOTICES.

455. *Applications and notices.*—(1) Every application to the court either by the Receiver or any creditor, or by any person either

claiming to be entitled to any alleged assets of the debtor, or complaining of any act of the Receiver, and in particular and without prejudice to the generality of this rule for an order deciding any question under sections 4, 51, 52, 53, 54 and 55 or anyone of them, shall, unless otherwise provided by these rules, or unless the court shall in any particular case otherwise direct, be made by application in writing and shall be supported by an affidavit by the applicant.

(2) Every such application shall state in substance the nature of the order or relief applied for, the section of the Act under which such application is made, the grounds upon which such order or relief is claimed, and the sections of any other Act relied upon.

(3) Every such application shall also state whether the applicant desires or intends to call witnesses at the hearing in support thereof and shall specify with precise identification the documents upon which the applicant intends to rely.

(4) Where such application is made by an applicant other than the Receiver, a copy of such application and a copy of the affidavit in support thereof shall be served upon the Receiver, together with copies of the documents upon which the applicant intends to rely as mentioned in sub-rule (3) hereof, unless the number or volume of such document is exceptionally great, in which case notice of the fact shall be given to the Receiver, and an opportunity shall be afforded to the Receiver of examining the original seven clear days at least before the hearing.

(5) Where such application is made by the Receiver, the affidavit in support thereof shall identify any statement of the debtor made to the Receiver, which is either on the file or in the Receiver's Possession and on which the Receiver intends to rely.

(6) Any party to the application shall be entitled to inspect the original of any document which has been either filed or mentioned in the affidavit made in support of such application, or of which any copy has been exhibited to such affidavit.

(7) A copy of every application mentioned in sub-rule (1) hereof and of the affidavit in support of such application shall be served upon the Receiver whether or not any relief or order is expressly claimed against him.

Notes

Section 4 of the Act empowers the Insolvency Court to decide all question arising in insolvency proceedings. Section 51 to 55 of the Act deal with the effect of insolvency on antecedent transactions.

SALE OF IMMOVABLE PROPERTY OF INSOLVENT.

456. *Sale of immovable property of insolvent.*—If no Receiver is appointed and the Court, in exercise of its powers under section 58 of the Act, sells any immovable property of the insolvent, the deed of sale of the said property shall be prepared by the purchaser at his own cost and shall be signed by the Presiding Officer of the court. The costs of registration, if any, will also be borne by the purchaser.

DIVIDENDS.

457. *Dividends*.—The amount of the dividend may, at the request and risk of the creditor, be transmitted to him by post.

SUMMARY ADMINISTRATION.

458. *Summary administration of an estate*.—When an estate is ordered to be administered in a summary manner under section 74 of the Act, the provisions of the Act and Rules shall, subject to any special direction of the Court, be modified as follows, namely:—

- (i) There shall be no advertisement of any proceeding in the official gazette or local paper. But the Court shall publish a notice (F.55) of the adjudication of insolvency, the annulment thereof, and of any application made for discharge, by beat of drum and by affixing a copy at the residence of the insolvent and in the court house.
- (ii) The petition and all subsequent proceedings shall be endorsed "summary case".
- (iii) The notice of the hearing of the petition to the creditors shall be in Form No. 41 in Appendix B.
- (iv) The Court shall examine the debtor as to his affairs, but shall not be bound to call a meeting of creditors; but the creditors shall be entitled to be heard and to cross-examine the debtor.
- (v) The appointment of a Receiver will often not be necessary, and the Court may act under section 58 of the Act in order to reduce the cost of the proceedings.

COSTS.

459. *Costs*.—All proceedings under the Act down to and including the making of an order of adjudication shall be at the cost of the party prosecuting the same; but when an order of adjudication has been made, the costs of the petitioning creditor shall be taxed and be payable out of the estate.

460. *Costs to be allowed out of the estate*.—No costs incurred by a debtor on, or, incidental to, an application to approve of a composition or scheme shall be allowed out of the estate if the Court refused to approve the composition or scheme.

461. *Making of an order of adjudication or annulment of adjudication*.—When an order of adjudication or annulment of adjudication is made on a debtor's petition and the Court is satisfied that the debtor is unable to pay the cost of publication in the local official gazette of the notice required by section 30 or 37 (2) of the Act and when an order of adjudication is annulled under section 43 (1), the Court shall direct that such cost be met from the sale-proceeds of the property of the insolvent. If the insolvent has no property or if the sale-proceeds are insufficient, such costs or the irrecoverable balance thereof shall be remitted.

462. *The Court to draw a formal order embodying its adjudication and memorandum of costs*.—A court shall draw up a formal

order embodying its adjudication and the memorandum of costs incurred by the parties in:

- (1) decisions and orders specified in Schedule I of the Act, from which an appeal lies to the High Court under S. 75 (2), and
- (2) any other decision or order against which a party or Receiver signifies in writing to the Court his intention to appeal from.

463. *Process and warrant fee.*—No process or warrant fee shall be chargeable on a process or warrant which the Court may issue in order to secure the attendance of a person or for his arrest on its own motion or on that of the Receiver when the same cannot be paid out of the estate or funds of the insolvent.

464. *Registers and other papers of the Official Receiver.*—Registers kept by Official Receivers shall, within one year of their completion, be consigned to the record room through the Insolvency Judge. Other papers like copy of Patwari's Khatauni, statement of demand, collection and balances, list of bidders, sale accounts of sales through an auctioneer shall, under orders of the Insolvency Judge, be filed in the record of the case of the insolvent concerned as soon as they are no longer required. The Receiver may requisition any of the registers or papers through the Insolvency Judge, if required by him for the administration of any estate.

465. *Destruction of Registers consigned to record-room.*—The Registers consigned under the preceding rule to the record-room shall be destroyed on the expiration of twenty years from the date of the last entry therein.

SECTION F.

THE ARBITRATION (PROTOCOL AND CONVENTION) ACT No. VI of 1937.

466. *Rules under section 10 of the Arbitration (Protocol and Convention) Act.*—The following rules have been framed under section 10 of the Arbitration (Protocol and Convention) Act (No. VI of 1937);—

(1) All applications, affidavits and proceedings under the Act shall be entitled "In the matter of the Arbitration (Protocol and Convention) Act, 1937 Suit No.....of 195 ."

(2) All applications under the Act shall be made on Government water-marked paper in the English language and shall be presented in the court having jurisdiction over the subject-matter of the award. They shall be either legibly typed or printed. The application shall be presented either personally or through a duly authorized agent or legal practitioner.

(3) The application shall be numbered and registered as a suit between the applicant as plaintiff and the other parties to the arbitration as defendants.

(4) Every petition shall be divided into paragraphs, numbered consecutively, and shall contain, in a summary form, a statement of material facts, and the nature of the relief asked for.

(5) Every petition shall be signed and verified in the manner provided in the Code of Civil Procedure for signing and verifying plaints and no petition shall be entertained unless it be so signed and verified.

(6) The original award or a duly authenticated copy thereof shall be filed with the petition unless the court by an order in writing allows its production at a later stage.

(7) Every Application or petition or affidavit shall be accompanied by as many, legibly typed or printed copies as the number of defendants who are to be served with notice thereof.

(8) Notice in Form No. 4 Appendix H of the Code of Civil Procedure, with necessary alterations, shall be served in one or other of the modes prescribed by the Code of Civil Procedure for the service of summonses, upon every defendant and such other persons as may or appear to the court to be affected by or concerned with the suit.

(9) The process-fees shall be levied according to the scale prescribed for similar processes issued by the Court and must be paid within a week unless otherwise ordered by the Court.

(10) Applications, affidavits and proceedings under section 3 of the Act shall be intitled in the suit or proceedings which the applicant seeks to have stayed. A court may stay proceedings on such terms as it thinks fit but not without notice to the opposite party, except where it appears that the object of granting a stay would be defeated by any delay occasioned by issuing a notice.

(11) All proceedings under this Act, including the preparation of decrees, shall be in the English language.

(12) The provisions of the Code of Civil Procedure shall apply *mutatis mutandis* in the absence of specific rules or provisions of law.

(13) Applications under the Act should be decided expeditiously and a report should be made to the High Court as to the cause of delay if a suit has not been decided within six months.

Section 10 of the Act gives rule making power to High Courts provided that —

The High Court may make rule consistent with this Act as to—

(a) the filing of foreign awards and all proceeding consequent thereon or incidental thereto ;

(b) the evidence which must be furnished by a party seeking to enforce foreign award under this Act ; and

(c) generally, all proceedings in Court under this Act.

Section G

The Hindu Marriage Act 1955 (Act XXV of 1955).

466A. The following rules have been framed under sections 1 and 21 of the Hindu Marriage Act, 1955 (Act XXV of 1955):—

1. *Short title and Commencement.*—(i) These Rules may be called the Hindu Marriage and Divorce Rules, 1956.

(ii) These Rules shall come into force on 1st June, 1956.

2. *Definitions* — (i) 'Act' means the Hindu Marriage Act, 1955 (Act XXV of 1955).

(ii) 'Code' means the Code of Civil Procedure, 1908

(iii) 'Court' means the Court mentioned in section 3 (b) of the Act.

3. *Petition.*—Every petition under the Act shall be accompanied by a certified extract from the Hindu Marriage Register maintained under section 8 of the Act.

4. *Service of petitions.*—Every petition and notice under the Act shall be served on the party affected thereby in the manner provided for service of summons under Order V of the Code:

Provided that the Court may dispense with such service altogether in case it seems necessary or expedient so to do.

5. *Contents of petitions.*—(i) In addition to the particulars required to be given under Order VII Rule 1 of the Code and section 20 (1) of the Act, every petition for judicial separation, nullity of marriage and divorce shall contain the following particulars:—

(a) the place and date of marriage,

(b) the name, status and domicile of the wife and husband, before and after the marriage;

(c) the principal permanent address where the parties co-habited including the address where they last resided together;

(d) whether there is living any issue of the marriage and, if so, the names and dates of birth, or ages of such issues;

(e) Whether there have been in any Court in India, and if so, what previous proceedings, with references to the marriage by or on behalf of either of the parties, and the result of such proceedings;

(f) the matrimonial offence or offences charged, set out in separate paragraphs with the time and place of its or their alleged commission;

(g) property mentioned in section 27 of the Act, if any;

(h) the relief or reliefs prayed for.

(ii) In every petition presented by a husband for divorce on the ground that his wife is living in adultery with any person or persons or for judicial separation, on the ground that his wife has committed adultery with any person or persons, the petitioner shall state the name, occupation and place of residence of such person or persons, so far as they can be ascertained.

(iii) In every petition presented by a wife for divorce on the ground that her husband is living in adultery with any woman or women or for judicial separation, on the ground that her husband

has committed adultery with any woman or women, the petitioner shall state the name, occupation and place of residence of such woman or women, so far as they can be ascertained.

6 Every petition for divorce on any of the grounds mentioned in clause (viii) or (ix) of sub-section (1) of section 13 of the Act shall be accompanied by a certified copy of the decree for judicial separation or for restitution of conjugal rights, as the case may be.

7. *Necessary parties.*—(a) In every petition for divorce or judicial separation on the ground that the respondent is living in adultery or has committed adultery with any person the petitioner shall make such person a co-respondent. The petitioner may, however, apply to the Court by an application supported by an affidavit for leave to dispense with the joinder of such person as a co-respondent on any of the following grounds:—

(i) that the name of such person is unknown to the petitioner although he has made due efforts for discovery;

(ii) that such person is dead;

(iii) that the respondent being the wife is leading a life of a prostitute and that the petitioner knows of no person with whom adultery has been committed;

(iv) for any other sufficient reason the Court may deem fit to consider.

(b) In every petition under section 13 (2) (i) of the Act the petitioner shall make "the other wife" mentioned in that section a co-respondent.

(c) In every petition under section 11 of the Act on the ground that the condition in section 5 (1) is contravened, the petitioner shall make the spouse alleged to be living at the time of the marriage a co-respondent.

8. *Verification of petition*—Statements contained in every petition shall be verified by the petitioner or some other competent person in the manner required by the code for the verification of plaints.

9. *Forms of petitions*—The petitions made under the Act shall, so far as possible, be made in the forms prescribed in the schedule to the Indian Divorce Act, 1869 (IV of 1869).

10. *Notice.*—The Court shall issue notice to the respondent and co-respondent, if any. The notice shall be accompanied by a copy of the petition. The notice shall require, unless the Court otherwise directs, the respondent or co-respondent to file his or her statement in Court within a period of four weeks from the service of the notice and to serve a copy thereof upon each of the other parties to the petition within the aforesaid period.

11. *Written statements in answers to petitions by respondents*—The Respondent may and, if so required by the Court, shall present a written statement in answer to the petition. The provisions of

Order VIII of the Code shall apply *mutatis mutandis* to such written statements. In particular, if in any proceedings for divorce the Respondent opposes the relief sought in the petition on the ground of the petitioner's adultery, cruelty or desertion, the written statement shall state the particulars of such adultery, cruelty or desertion.

12. *Intervenors Petitions.*—(1) Unless the Court for good cause shown otherwise directs, where the written statement of the respondent alleges adultery by the petitioner with a named man or woman, a certified copy of such statement or such material portion thereof containing such allegation shall be served on such man or woman accompanied by a notice that such person is entitled within the time therein specified to apply for leave to intervene in the cause.

(2) (a) *Costs regarding intervention.*—Wherever the Court finds that an intervener had no sufficient grounds for intervening, it may order the intervener to pay the whole or any part of the costs occasioned by the application to intervene.

(b) When the Court finds that the charge or allegation of adultery against the intervener made in any petition or written statement is baseless or not proved and that the intervention is justified, it may order the person making such charge or allegation against the intervener to pay to the intervener the whole or any part of the costs of intervention.

13. *Answer.*—A person to whom leave to intervene has been granted may file in the Court an answer to written statement containing the charges or allegations against such intervener.

14. *Mode of taking evidence.*—The witnesses in all proceedings before the Court, where their attendance can be had shall be examined orally, and any party may officer himself or herself as a witness, and shall be examined and may be cross examined and re-examined like any other witness:

Provided that the parties shall be at liberty to verify the respective cases in whole or in part by affidavit but so that the deponent in every such affidavit, shall on the application of the opposite party, or by direction of the Court be subject to be cross-examined, by or on behalf of the opposite party orally, and after such cross-examination may be re-examined orally, as aforesaid by or on behalf of the party by whom such affidavit was filed.

15. *Costs.*—Whenever in any petition presented by a husband the alleged adulterer has been made a co respondent and the adultery has been established, the Court may order the co-respondent to pay the whole or any part of the costs of the proceedings:

Provided that the co-respondent shall not be ordered to pay the petitioner's costs:—

(i) If the respondent was at the time of the adultery living apart from her husband and leading the life of a prostitute, or

(ii) If the co-respondent had not, at the time of adultery, reason to believe the respondent to be a married person.

16. *Application for alimony and maintenance.*—(a) Every application for maintenance *Pendente lite* permanent alimony and maintenance, or for custody, maintenance and education expenses of minor children, shall state the average monthly incomes of the petitioner and the respondent, the sources of these incomes, particulars of other movable and immovable property owned by them, the number of dependents on the petitioner and the respondent and the names and ages of such dependents.

(b) Such application shall be supported by an affidavit of the applicant.

17. *Application for leave under section 14 of the Act.*—(1) Where any party to a marriage desires to present a petition for divorce within three years of such marriage, he or she shall obtain leave of the Court under section 14 of the Act on *ex parte* application made to the Court in which the petition for divorce is intended to be filed.

(2) The application shall be accompanied by the petition intended to be filed bearing the proper court-fee under the law and in accordance with the rules. The application shall be supported by an affidavit made by the petitioner setting out the particulars of exceptional hardships to the petitioner or exceptional depravity on the part of the respondent on which leave is sought.

(3) The evidence in such application may, unless the Court otherwise directs, be given by affidavit.

(4) When the Court grants leave, the petition shall be deemed to have been duly filed on the date of the said order. The petitioner within a week of the date of the said order shall file sufficient number of copies of application for leave and order of the Court thereon and of the petition for divorce for service upon the respondents in the petition.

18. *Service of copy of application for and order granting leave on the Respondents and procedure after service.*—(1) When the Court grants leave under the preceding rule a copy of the application for leave and order granting leave shall be served on each of the respondents along with the notice of the petition for divorce.

(2) (a) When the respondent desires to contest the petition for divorce on the ground that leave for filing the petition has been erroneously granted or improperly obtained, he or she shall set forth in his or her written statement the grounds with particulars on which the grant of leave is sought to be contested.

(b) The Court, may if it so deems fit, frame, try and decide the issue as to the propriety of the leave granted as a preliminary issue.

(c) The Court may, at the instance of either party, order the attendance for examination or cross-examination of any deponent in the application for leave under the preceding rule.

19. *Taxation of costs.*—Unless otherwise directed by the Court, the costs of the petition under the Act shall be costs as taxed in a suit.

20. *Order as to costs.*—The award of costs shall be within the discretion of the Court.

21. *Transmission of certified copy of the decree.*—The Court shall send a certified copy of every decree for divorce or nullity or dissolution of marriage to the Registrar of Marriages in charge of the Hindu Marriage Register.

Section H

The Transfer of Property Act, 1882 (Act IV of 1882), 466B—The following rules have been framed under section 104 of the Transfer of Property Act, 1882 (Act IV of 1882).

- (i) In these rules unless there is something repugnant in the subject or context, "mortgagor" includes every person entitled under a decree or otherwise to redeem the mortgaged property; and
"mortgagee" includes every person entitled under a decree or otherwise to the rights of the mortgagee.
- (ii) A mortgagor making a deposit or a payment into Court under Chapter IV of the Act shall file a verified petition stating the facts of case.
- (iii) Unless otherwise ordered, the mortgagor shall, in addition to the amount due, deposit or pay into Court a sum sufficient to provide for :—
 - (a) the mortgagee's costs of obtaining payment out of Court;
 - (b) the mortgagee's costs, when the payment is made under section 83 of the Act, of executing or registering (1) a re-conveyance in the case of an English mortgage, or (2) an acknowledgement of the discharge of the mortgage in other cases, and
 - (c) the interest to which the mortgagee may be entitled under the 2nd paragraph of section 84 of the Act.
- (iv) The Court by endorsement on the mortgagor's petition may order the deposit or payment to be received by the Nazir. Such order shall specify the several sums to be deposited or paid and the purpose for which each sum is intended.

- (v) The mortgagor's petition shall be entered in the Register of Miscellaneous Applications requiring judicial enquiry.
- (vi) Unless the mortgagee has already put in his appearance, the Court shall issue a notice of the deposit or payment to the mortgagee requiring him to deposit in Court on a day to be fixed by it all documents in his possession or power relating to the mortgaged property and also the mortgage deed when such payment is made under section 83 of the Act.
- (vii) Subject to the provisions of section 102 of the Act, the notice shall be served and its service shall be proved in the manner prescribed by the Code of Civil Procedure and the general Rules (Civil), 1952.
- (viii) Every application by a mortgagee to obtain payment of money out of Court shall be made by a verified petition accompanied by such of the documents mentioned in rule VI as have not been deposited in Court and, when necessary, by a draft deed of reconveyance of the mortgaged property or acknowledgement of discharge of the mortgage, as the case may be.
- (ix) A mortgagee applying for payment of money deposited under section 83 of the Act, shall be required, if necessary, to deliver up possession of the mortgaged property to the mortgagor.
- (x) Every enforceable order under section 83 may be enforced under the provisions of the Code of Civil Procedure and shall for that purpose be deemed to have been made in a suit instituted under that code.
- (xi) The provisions hereinbefore contained as to a mortgagor and mortgagee shall, so far as may be, respectively apply to the owner of immovable property, subject to a charge (as defined in section 100 of the Act) and the person having such charge.

CHAPTER XVIII.

Forms, Stationery and their Indents.

467: *Sanctioned forms.*—A list of printed forms for use in district and subordinate Civil Courts, which may be obtained from the Government Press, is given in Appendix E.

Those forms which are saleable are also shown for facility of reference in Appendix F.

468. *Manner of obtaining non-saleable forms.*—Non-saleable forms shall be obtained in the following manner :—

The indents shall be prepared under the supervision of the Presiding Judge. Forms enough to last for a whole year and to leave margin of three months' consumption at the end of that year shall be entered in the indent. The presiding Judge shall also ascertain that provision for the cost of forms indented exists in the grant placed at his disposal. A certificate in the following form shall be endorsed on the indent:—

(1) Certified that sufficient provision exists for the adjustment of the cost of the above indent; the balance of my grant under the head "Stationery and Printing" being.

(2) It is within my competence to obtain the articles indented for.

The indent shall then be sent to the Superintendent, Government Press who will arrange supply directly. When forms are printed in books, the number of books should be stated.

Forms for subordinate out lying courts located at places remote from a railway will be sent to the District Judge or to some Munsif on a line of Railway who will cause them to be forwarded to such courts in the manner he may consider most convenient and economical.

469. *Stock of printed forms.*—Each District Judge, each outlying Civil Judge, and each outlying Munsif, shall be allowed to hold certain quantities of saleable forms as permanent advance in accordance with the general directions issued by the High Court. The District Judge shall be responsible for the advances to all the courts in his judgeship and shall deal with indents for saleable forms in respect of the courts subordinate to him, direct with the Superintendent, Printing and Stationery.

470. *Stock of printed forms.*—(1) When the stock of saleable forms is reduced to one-half of the quantity fixed by the High Court as permanent advance, the District Judge shall take steps to recoup the shortage direct from the Superintendent, Printing and Stationery. He shall apply in the prescribed form (F. 56) furnishing the certificates mentioned therein.

(2) Forms shall be sold at the rate of two rupees per hundred to licensed stamp-vendors, who may retail them to the public at the rate of two pice per form, forms shall not be sold in packets of less than hundred each unless the permanent advance of any particular form has been fixed at less than hundred. Receipt books of form No. 51 shall be issued only to Official Receivers at the rate of 8 annas per book. The procedure herein contained for the supply of saleable forms of licensed stamp vendors shall apply *mutatis mutandis* to the supply of receipt books to Official Receivers.

(3)—The licensed stamp vendors shall not pay to the Nazir in cash the price of the saleable forms that they require but they shall deposit the money in the Treasury by means of Treasury Challans in triplicate. One copy shall be retained in the Treasury, the second one shall be returned to the stamp vendors who shall submit the same to the Nazir in lieu of the price of the forms received by them and the third copy shall be forwarded to the Chief Superintendent, Printing and Stationery, Rajasthan, Jaipur for necessary adjustments in his accounts. Before signing the certificate mentioned in (1) above the indenting officer shall verify the recoupment order and formally cancel the challans by writing across them "cancelled" in red ink. The challans so cancelled shall be immediately consigned to the record room where they will be retained till destroyed under the weeding rules.

At places, where there are no licensed Stamp Vendors, the District and Sessions Judge may appoint licensed form Vendors to perform the duties of licensed Stamp Vendors under this rule.

(4) The stock of saleable forms in hand on the 31st March, shall be examined and a statement (Ret. 59) sent by the indenting officers to the District Judge in no case later than the 15th April each year. These statements along with a similar statement relating to the Court of the District Judge shall be forwarded to the Superintendent, Printing and Stationery, by the end of April each year.

471. *Arrangement of printed forms.*—The list of printed forms prescribed by the High Court is arranged in parts. Forms should, at the time they are received in any Civil Court, be similarly arranged there; the forms in each part again being arranged in the order of the numbers they bear. The forms should be stored upon racks or in presses.

472. *Stock book of forms.*—A Stock book of non-saleable printed forms shall be maintained by the Munsarim of each court in the prescribed form (Reg. 87). A separate page shall be given to each form in use in the Court; the balance shall be struck after each transaction, and the balance on 30th June and 31st December of each year shall be verified by counting the forms on the racks or in the presses, and a note of the verification made on each page of the stock-book on the pages relating to those forms of which a stock is in hand.

A register of non-saleable printed forms shall be maintained in the prescribed form (Reg. 88).

473. *Charge of Saleable forms.*—All saleable forms shall be in the charge of the Central Nazir or the Nazir, who shall keep them under lock till issued and maintain a register (Reg. 89) of such forms.

474. *Surplus stock of forms.*—Surplus forms should not be returned to the Government Press without informing the Superintendent and all such consignments must be sent carriage paid.

When large surpluses of forms exist, the Superintendent of the Government Press may be asked to arrange for their distribution.

475. *Prohibition of unauthorized forms.*—District Judges shall ensure that—

- (1) Saleable forms printed by a press other than the Government Press are not used in any court.

This rule may be relaxed when saleable forms printed at the Government Press are not available.

- (2) Forms other than those for the time being authorised by the High Court are not used in any court.

STATIONERY

476. *Stationery indents.*—(1) Stationery shall be obtained in the following manner :—

Indents shall be prepared under the supervision of the Presiding Judge. The Presiding Judge shall ascertain that provision for the cost of stationery exists in the grant placed at his disposal. A certificate in the following form shall be endorsed on the indent :—

(i) I certify that sufficient provision exists for the adjustment of the cost of the above indent, the balance of my grant under the head “Stationery and Printing” being.....

(ii) It is within my competence to obtain the articles indented for.

The subordinate courts at the headquarters of a District Judge shall send their indents through the District Judge. For the courts not located at the headquarters of the District Judge, the indents shall be sent through the senior most judicial officer at the station.

Indents should as a rule be prepared only twice each year and should reach the Superintendent, Government Press of the division concerned by the 15th August and 15th January respectively.

Invoices will be made separately for each Court but for the subordinate courts at the District Judge's headquarter, they will be forwarded through the District Judge.

Stationery for outlying courts located at places remote from a Railway will be sent to the District Judge or to some Munsiff on a line of railway, who will cause them to be forwarded to such courts in the manner he may consider most convenient and economical.

Register of stationery.—(2) A register of stationery shall be kept by indenting officers in the prescribed form (Reg. 90).

Stock book of stationery.—(3) A stock book of stationery articles shall also be maintained in the prescribed form (Reg. 91).

CHAPTER XIX.

Amins.

477. *Qualification for appointment as Amin.*—Before appointing any person to be an Amin, the District Judge shall satisfy himself that the candidate has a competent knowledge of—

- (1) Hindi;
- (2) Arithmetic;

- (3) Mensuration;
- (4) Elementary land-surveying and mapping;
- (5) Order XXVI of the Code;
- (6) Rules relating to the work and duties of Amins.

Notes.

This order contains rules regarding commissions.

478. *Instruments for Amin's work.*—The District Judge shall, from time to time as funds allow, purchase the instruments given in the following list :—

Plane Table.

Box of drawing instruments.

Measuring chain (Jarib) (100 feet).

Measuring Rod (10 feet long).

Brass sight (two feet).

Brass scale (six inches).

Measuring taps (50 feet).

Such minor articles as mapping pens boxes of colours, tracing cloth, etc., if not procurable from the Superintendent, Printing & Stationery, can be purchased locally. The District Judge shall inspect and verify the stock of the above instruments in his annual inspection of the office of Civil Judges and Munsifs.

479. *Utilisation of service of the Amin by other courts.*—Subject to the orders of the District Judge, the services of the Amin on the establishment of the District Court should be utilised, as far as practicable, by the other courts located at the headquarter of the District Judge.

480. *A member of the ministerial staff to work as Amin.*—Where the services of the amin are not available, the services of any other member of the ministerial staff may be utilised for the purpose by the Presiding Judge of the court.

481. *No addition all remuneration for service as Amin.*—The Amin on the regular establishment, or any other member of the regular establishment shall not be entitled to any additional remuneration for his services except only the travelling allowance permissible.

482. *Appointment of a special Amin.*—Where the services of an Amin on the regular establishment are not available, and where the services of any other member of the ministerial staff cannot be utilised for the purpose, without detriment to normal office working, the court may appoint a special Amin in the case.

483. *Approved list of Amins.*—(1) Special Amins shall be appointed out of an approved list of Amins maintained in each court.

(2) Where more than one civil court is located at the same station, there shall be a common list for all such courts.

(3) Admission of persons to the approved list of Amins shall be made with the sanction of the District Judge, by the Presiding Officers of the courts.

484. *Persons admitted to the list of approved amins to be duly qualified.*—Care shall be taken to see that persons admitted to the list of approved Amins are sufficiently educated and qualified for the work required of them.

485. *Remuneration to a special Amin*—The remuneration to be paid to a special Amin shall be determined by the court according to the circumstances of each case.

The remuneration should not ordinarily exceed three rupees per day for the period actually spent in the work done (including the periods spent on travelling in) addition to travelling allowance, where necessary, at the rate permissible for Government servants of the corresponding class.

486. *Remuneration to special Amin to be deposited.*—The remuneration payable to a special Amin shall be deposited in cash by the party at whose instance the sale or attachment (for conducting or effecting which the Amin is appointed) is ordered.

487. *Remuneration a special Amin in certain cases* —When the remuneration payable to a special Amin in cases of attachment is less than the prescribed process fee in respect of the services of the officer making an attachment or in cases of sales is less than the prescribed process fee payable by way of poundage, the process fee payable in court fee stamps shall be the full amount chargeable under the rules less the amount payable to the Special Amin as his remuneration.

488. *Circles and beats of Amins.*—(1) Where there are several persons on the approved list of Amins attached to any court or group of courts, the District Judge shall fix circles of work for every Amin so as to ensure even distribution of work. The District Judge shall divide the circle of every Amin into beats and fix dates for the Amin to work in those beats.

(2) The District Judge shall appoint a Judicial Officer to be in charge of the work of the Amins, provided that where an Amin works in the jurisdiction of an outlying court, the Presiding Officer of such Court shall be in charge of the work of such Amin.

489. *Amin to know rules about pounds.*—Every Amin shall acquaint himself with the rules about cattle pounds.

490. *Amin to work personally.*—Amins shall perform their duties in person and not by deputy.

491. *Work for Amins.*—Civil Court Amins, besides being employed to conduct sales, may be employed on any of the following duties:—

(1) In executing commissions—

- (a) to examine witnesses,
 - (b) for local investigation,
 - (c) to examine accounts, and
 - (d) to make partitions.
- (2) In making attachments under an order of the Court.
- (3) In making delivery of possession of property under an order of the court.

492. *Day's journey of Amin.*—When, in order to perform his duties, an Amin has to travel, the court in determining the fee to be paid for his services shall assume a day's journey to be fifteen or twenty miles, according to the nature of the country to be traversed, unless the place is connected by bus or rail.

493. *Programme of Amin.*—When an Amin proceeds on tour, he shall make such arrangements as will ensure that orders issued by the Court shall reach him without delay. The arrangement so made shall, on each departure of the Amin, be notified by him in writing to the courts whose orders he executes and also to the Officer-in charge of his work.

494. *Information by Amin to Decree-holder.*—An amin shall inform the decree-holder or his pleader by registered post or otherwise, within sufficient time, of the date on which he proposes to be at a certain spot to make an attachment or deliver property, so as to enable the party concerned or his representative to attend on that date.

495. *Instructions for measurement and mapping.*—Amins shall be guided by the following instructions in making field and land measurements in local inquiries:—

- (1) All measurements shall be made with chain and compass, and the chain shall be 100 feet in length.
- (2) The work shall be plotted to scale, and the scale to be used shall be one hundred feet to the quarter inch, half inch, inch, two inches, four inches, eight inches or sixteen inches accordingly as the area to be measured is large or small, the largest convenient scale being used.
- (3) The starting point and every bearing and measurement taken shall be recorded in a field-book as the measurement proceeds. The field-book shall be submitted with the map prepared therefrom, and in it any prominent landmarks adjacent to or on the line of measurement shall be noticed.
- (4) All water, running or standing, shall be indicated in blue; land or building in dispute shall be shaded red; and all writing on the map shall be so made as to be read when the map is held with the north side uppermost.

496. *Procedure for Police help to Amin.*—When an Amin has to make an attachment under an order of the court, and he apprehends that resistance will be offered by the judgment-debtor, he

shall ask the Superintendent of Police through the Court for the requisite police help, which will be given only in exceptional circumstances. Full reasons must be given for fearing a breach of the peace. It shall rest with the Superintendent of police to grant or withhold assistance.

In cases of emergency, when the above procedure is not possible, application shall be made to the officer-in-charge of the police station concerned.

497. *Statement of work done by Amin.*—At the end of each month, the Amin shall submit to the Officer-in-charge of his work, a statement beat-wise in the prescribed form (Ret. 13) of the work done by him in the month.

498. *Scurtity of the Amin's statement of work.*—The Officer-in-charge shall, with the help of a map of the beats, examine the above statement and satisfy himself that there has been no avoidable delay in executing a process, and that the Amin in his tour has taken the shortest route.

The Officer-in-charge shall submit the above statement with the remarks to the District Judge by the 10th of the next month.

499. *Payments to Amins for sale of movable property.*—Every Amin shall give receipts for all cash payments for all movable property that may come into his custody by virtue of his office to the person from whom he receives the same. Counterfoil receipt-books (F. 57) shall be supplied.

500. *Payments to Amins for sale of immovable property.*—When the sale is of immovable property, the Amin shall receive in cash the twenty-five per cent deposit required by Order XXI, rule 84. For the rest of the purchase-money, he shall ordinarily give a payment order (F. 58), entering therein as the date of payment the latest safe date, having regard to the terms of order XXI, rule 85. Counterfoil books of payment orders will be supplied for this purpose. If the amount of the purchase-money be less than Rs. 50/-, the Amin may at his discretion receive payment of it in full at the time of sale.

501. *Auction purchaser to pay money to the Receiving officer of the Court.*—The auction-purchaser to whom such payment order has been given shall pay the money noted therein to the Receiving Officer of the Court which made the order of sale, in the manner prescribed in rules 255 and 259 and shall with his tender file the payment order delivered to him by the Amin. Such payment order shall, along with the tender, be filed with the record of the case to which it relates.

502. *Amins Cash register.*—With the exception hereinafter noted, all moneys received by an Amin shall immediately on receipt be entered by him in his Cash Register (Reg. 62), and shall, with as little delay as possible, be paid by him into the Treasury, or court, as the case may be. The following petty items which pass through the

Amin's hands but are not required to be paid into the Treasury shall not be shown in the Amin's Cash Register, but in columns 13, 14 and 15 of the Register of Orders (Reg. 58) and in columns 14 to 17 of the Proceedings Register.

- (1) Charges for maintenance of live-stock.
- (2) Cost of preparing attached property for sale.
- (3) Wages of labour paid through the Amin.
- (4) Wages of Chainman.

The entries in column 13 of Register No. 58 shall be made when the money is remitted to the Amin, and those in columns 14 and 15 when the Amin's report is received. The entries in columns 12 and 13 of Register No. 60 shall be made by the Amin at the same time as those in columns 1 to 9 and those in columns 14 and 15 when entries are made in column 11.

The Amin may remit to the court or Treasury small items upto a limit of Rs. 50/- at a time through a peon by whom security for that amount has been furnished. The Amin will be personally liable for loss of any sums exceeding Rs. 50/- which are remitted by him to the Treasury or court through such peon.

503. *Returns to be sent by Amins.*—On the first working day of each month, the Amin shall submit to each Court in the execution of the orders of which he has been employed—

- (1) a copy of his diary for the preceding month (Ret. 14);
- (2) a return (Ret. 15) of the sums realized by him under the orders of the court during the preceding month; and
- (3) a statement (Ret. 16) of the movable property attached under the orders of the Court remaining in his custody or in that of an intermediate custodian at the close of the preceding month; or if such property has been previously entered in a similar statement, a reference to the serial number and date under which it was entered in such statement.

504. *Check of Amins cash return.*—The monthly cash return (Ret. 15) shall be checked by the Court's Receiving Officer with the cash account of the Court, and any discrepancy or any delay exceeding one month in the payment of money into the Treasury, shall be brought to the notice of the Judge.

The monthly statement (Ret. 16) of movable property remaining in the custody of the Amin shall be checked by the Munsarim with the records of the cases concerned.

The monthly returns and statements shall after disposal be passed into file books kept for the purpose in each court.

505. *Repayment of deposits by Amin.*—Money deposited by an Amin under rule 502 shall remain at the Treasury or Sub-Treasury in which it was deposited unless and until a repayment order is made under rule 273 upon an application for repayment regularly made and passed. If the money has been deposited at a Sub-Trea-

surety, the repayment order shall be made payable there or at the District Treasury, as the applicant may desire.

CHAPTER XX.

Duties of a Munsarim

506. *The Munsarim.*—The Munsarim, where he is appointed, shall be the Chief Ministerial Officer of the Court.

Where a Munsarim is not appointed, the Reader shall be the Chief Ministerial Officer of the Court and shall perform the duties prescribed for the Munsarim by any rules or orders.

During the absence of the Munsarim (or Reader) on leave or otherwise, the Presiding Officer may appoint any official of his court to perform the duties of the Munsarim.

507. *Date of presentation to be noted on papers.*—A Munsarim appointed to receive complaints or other papers under the Code shall see that the actual date of presentation is entered upon the complaint, memorandum of appeal, cross-objection or any other paper filed and also upon the labels on such papers.

508. *Duties of Munsarim.*—The duties of the Munsarim includes:—

- (1) the duties assigned by the Code to the Chief Ministerial Officer of a Court;
- (2) the duties for the performance of which he is appointed by the Court under the provisions of the Code, or otherwise;
- (3) if the Court appoints him in this behalf to sign routine orders, summons, and notices which the Presiding Judge is not himself required to sign under any law or order in force;
- (4) to see that such accounts and statements as are by any law or order required to be exhibited and filed are exhibited and filed in due time and form, and to take the orders of the Court thereon;
- (5) to keep up such books and registers and to perform such duties as he is expressly required to do by any Rule or Order of the High Court;
- (6) to arrange for the preparation and due submission of periodical returns and statements; to draft letters; and to carry out orders contained in precepts of the High Court as to issue of notices and transmission of records;
- (7) under the orders of the Court, to assign to his subordinates the duties to be performed by each;
- (8) generally to supervise the working of the Office in all departments; and
- (9) to maintain a register of attendance of all the ministerial officials under his control.

509. *Delegation of duty.*—No duty the performance of which is specifically imposed by the Legislature upon the Court itself, shall be delegated to the Munsarim or any other Officer

CHAPTER XXI

Security by Civil Court Officials.

510. *Security to be taken from certain officials.*—Every Nazir, Civil Court Amin, Process-server, Amin's peon, or other ministerial official employed in a Civil Court, who by reason of his office is entrusted with the receipt, custody or control of moneys, securities for money or other property, shall give security in the prescribed form (F. 59) in such an amount for due discharge of the trusts of his office and for the due account of all moneys, securities for money or other property which shall come into his possession by reason of his office as shall be equal to the maximum amount which ordinarily has in his hands at any one time. The District Judge, subject to the control of the High Court, shall use his discretion in calculating this amount and shall be responsible for seeing that the sum left in the hands of any of his subordinates is not more than the amount of the security taken from such subordinate.

Security shall in no case be dispensed with except where exemption may be made under special or general orders of Government. Exemption cannot be sought on the ground that a person is an apprentice, outsider or other temporary incumbent, and he shall be required to furnish security or execute a personal bond as may be necessary under the rules.

511. *Deleted*—26/9/57.

512. *Nature of security.*—The rules hereinafter appearing are made for the guidance of District Judges.

Attention must also be paid to secure that the proper forms* of securities or bonds are used.

Fixed deposit receipts of banks accepted as security must be issued in the name of the Government. In such case, a clause must also be inserted in the depositor's security bond to the effect that Government will hold the fixed deposit receipt at the depositor's risk and will not be liable to the depositor in the event of loss of the security, due to failure of the bank or any other cause; and that if the security is lost, the loss will fall on the depositor who must furnish fresh security forthwith.

513. *Officiating incumbents of above posts.*—A leave vacancy of any official mentioned in rule 510 shall as far as possible, be filled up by an official who has already furnished security in his former office or a reserve of men who have furnished securities [for these appointments. The District Judge shall arrange to maintain a list of such officials and their securities must be scrutinized annually.

514. *Verification of security.*—The value and adequacy of a security shall be verified as soon as it is furnished. If the verification is likely to take time and the appointment or promotion cannot be delayed, a personal bond with sureties, shall be obtained, but the

* The proper forms are given in Appendix B. .

same shall be discharged when the original security has been finally verified.

515. *Custody of security bonds.*—All security bonds and all securities other than Government promissory notes given by officials shall be placed under double locks in the Treasury strong-room at the head-quarters of the District Judge. Government promissory notes shall be dealt with under the provisions of the Government Securities Manual. "Cash or interest-bearing securities" or fixed deposit receipts of banks lodged as security may be returned after six months on vacation of office; bonds shall be retained permanently or until it is certain that there is no necessity for keeping them any longer. In order to obviate the loss of interest to the depositor, the authority accepting the fixed deposit receipts of banks as security should call for the receipt annually and get it renewed.

516. *Register of Securities.*—District Judges shall keep up a register of securities (Reg. 92) which shall be kept with the bonds in the Treasury of the head-quarters of the District Judge and shall note in general terms without details in their annual report on the administration of Civil Justice that this has been done. District Judges will be held personally responsible if loss is suffered in consequence of the neglect of these orders. The register should contain full particulars as to the pecuniary responsibility of the public accountant and his sureties and the nature and value of the security offered.

517. *Retention of security.*—In order to provide against cases in which discovery may be made, after the official has vacated his office, of defalcations made prior to such vacation of office, the security deposited by him shall be retained by the District Judge for 6 months after the official has vacated his office.

518. *Annual inquiry into sufficiency of security.*—In the first week of each calendar year, the Presiding Officer of each court shall inquire into the sufficiency of security given by each public accountant in his office, and where it appears to have deteriorated from any cause will require fresh or additional security to be given.

A mortgage security may be considered sufficient if it is a first mortgage of immovable property situate in India: Provided that the property be not a leasehold for a term of years, and that the value of the property exceeds by one-third the amount secured.

When there has been no mutation of ownership or sensible depreciation of the property pledged, it will be unnecessary to renew the security bond. A note of the result of the verification should be made in the register.

CHAPTER XXII

Legal Practitioners.

Notes.

The rules in this chapter have been framed as required under different sections of the Legal Practitioners Act. The enabling sections of the Act are reproduced below:—

519. *Grade of Pleders.*—Pleders entitled to practise in the subordinate courts shall be of two grades, *viz.*,

1. Pleders, first grade, and
2. Pleders, second grade.

520. *No right to practise unless Pleader enrolled in the District Court.*—No pleader is entitled to appear, plead or act in any District Court or any Court subordinate thereto, unless he is at the time enrolled in the District Court.

Enrolment.

521. *Persons eligible to be Pleders.*—Any of the following persons may be admitted as a pleader first grade, if he satisfies the High Court that he possesses an adequate knowledge of the Hindi language and can read and write it with ease and correctness, and that he is a fit and proper person to be admitted as a pleader, first grade.—

- (1) a person who has obtained a degree in law from any University established by law in India, and is also a graduate in Arts, Science, Commerce or Agriculture of any such University
- (2) a person, who has obtained a degree in law from the University of Dacca, Lahore or Sind before the 15th day of August, 1947, and has permanently settled in India;
- (3) a person who prior to the 7th the April, 1949, was duly enrolled as a legal practitioner in any of the covenanting States of Rajasthan, and who by virtue of such enrolment, was entitled to practise in all the subordinate courts of that State.

522. *Enrolment of Pleders of other High Courts.*—(1) A Pleader or an Advocate of any other High Court in India, as it is now or was before 15th August, 1947, may be admitted as a Pleader, first grade, by the High Court of Rajasthan provided that.—

- (i) he is of good character and conduct,
- (ii) he can read and write Hindi with ease and correctness,
- (iii) the High Court within whose jurisdiction the applicant was a Pleader has reciprocity in this respect with the High Court of Rajasthan, and
- (iv) he submits a certificate from the Registrar of such High Court to the effect that he has been permitted to suspend his practise in that Court.

(2) The condition of reciprocity provided in sub-clause (iii) of sub-rule (1) and the certificate required by clause (iv) of that sub-rule are not necessary for pleaders who were practising before the 15th August, 1947, in the area now included in Pakistan.

523. *Persons eligible to be admitted as pleaders, second grade.*—(1) A pleader or Muktar of any High Court in any of the covenanting States of Rajasthan as they existed on the 6th April,

1949, and who by virtue of his enrolment as such pleader or Mukhtar, was not entitled to practise in all the subordinate courts of that State but only in certain specified subordinate courts of classes of subordinate courts, may be admitted as a pleader, second grade.

(2) The certificate issued to a pleader, second grade, shall specify the courts or the classes of courts in which he is entitled to practise.

(3) The court or courts in which a pleader, second grade, shall be entitled to practise shall be the same in which he was entitled to practise before 7th April, 1949:

Provided that if a court in which he was entitled to practise is abolished, he shall be deemed to be entitled to practise in the successor court which has jurisdiction to try the cases formerly tried by the court which is so abolished:

Provided further that if the successor courts are located at more than one place, the pleader may be permitted to practise at an one of such places and may also be permitted to practise in other specified court or courts at the same place equal in rank to the court or courts in which he was previously entitled to practise.

523A. A displaced person who is not a Law Graduate and who was a pleader or Mukhtar immediately before his displacement in any area now included in Pakistan, may, if recommended by the District Judge of the District where he intends to practise be enrolled as a pleader second grade entitled to practise in all or such subordinate courts in the district as may be specified.

In making his recommendations the District Judge will take into consideration (a) the educational qualifications, (b) the legal attainments, (c) the length of practice, (d) the knowledge of Hindi and (e) the character and antecedents of the applicant.

524. *Enrolment in the High Court.*—The mode of applying to be admitted as a pleader shall be by petition in the prescribed form (F. 61) and bearing the requisite court-fees stamps. The petition shall be presented to the District Judge of the district in which the applicant desires ordinarily to practise. Such District Judge shall see that all particulars are correctly filled in and shall then forward the petition to the High Court.

525. *Application for Enrolment in District Court.*—A pleader to whom a certificate (F. 62 or F. 63) has been issued under section 7, Legal Practitioners Act, 1879, may apply in person by petition accompanied by the certificate, to the District Judge of the district in which the applicant desires to practise.

526. *Enrolment in District Court.*—If the certificate be in order and the District Judge is satisfied that the applicant is not suffering from leprosy or other dangerous malady and is otherwise a proper person to be enrolled, he shall cause his name to be entered in a register to be kept in the prescribed form (Reg. 93) and shall

cause to be endorsed on his certificate a memorandum certifying that the applicant has been enrolled in the Court.

The register shall be maintained in two parts, one for pleaders, first grade, and the others for pleaders, second grade.

527. *Enrolment in two districts.*—If a pleader wishes to practise in more than one District under the High Court, his application for his second or other enrolment must be forwarded to the High Court with the necessary endorsement by the District Judge of such second or other district, that in his opinion he is a suitable person for such further enrolment; provided that no fresh stamp under the second schedule of Legal Practitioners Act will be required.

528. *Training of pleaders before starting practices independently.*—(1) Every pleader admitted under clause (1) or clause (2) of Rule 521 shall, unless specially exempted by the High Court after being enrolled and before commencing to practise on his own account in any court subordinate to the High Court, furnish to the High Court, a certificate in writing by a 'Senior practitioner', whose name is enrolled in a list (Reg. 94) drawn up by a District Judge and approved by the High Court or by a practitioner of the High Court of not less than ten years standing, that he has read with such senior for six months and that he has attended regularly in Court and chambers with his senior and has worked diligently.

(2) No pleader shall receive his training with more than one senior practitioner during the same period.

529. *Choice of senior & fee for senior.*—(1) The pupil may choose the senior with whom he desires to read; provided that no senior shall have more than four pupils at any time unless for some exceptional reason, approved by the High Court, the District Judge authorizes him to have more.

(2) If the senior desires to charge a fee, it shall not exceed Rs. 150 for the aforesaid six months' tuition.

530. *Rights of trainee pleaders.*—During the period of his training under rule 528, a pleader shall be entitled to hold the brief of his senior with his permission and to appear and plead for him but shall not be entitled to act.

531. *Certificate of training and its submission to High Court.*—The certificate of training required by rule 528 shall be submitted to the High Court through the District Judge who will first endorse it to the effect that he has satisfied himself that the petitioner in question has undergone the six months' training in accordance with the rules; provided that, where the highest judicial officer at a place is a Civil Judge or a Civil and Additional Sessions Judge or a Munsif, the certificate may bear the necessary endorsement by such an officer and may be submitted to the High Court through the District Judge after being duly countersigned by him.

Where the District Judge feels dissatisfied with the training undergone, he shall call for an explanation in writing from the pra-

itioner concerned of the points concerning which he is so dissatisfied, and shall forward the explanation with his opinion thereon.

532. *Permission to practise independently.*—On receipt of the certificate mentioned in the above rule, the High Court may issue a permit in the prescribed form (F. 64) to a pleader to practise independently.

533. *Change of District of practice and re-enrolment after discontinuing practice.*—Any pleader who desires to be enrolled in any district other than that in which he was originally enrolled or who applies to be re-enrolled in the same district after an interval during which his name was not on the rolls, shall apply by petition to the Judge of the District Court in which he seeks enrolment or re-enrolment annexing thereto his last certificate and a satisfactory testimonial of character from the Judge of the district in which he last practised, showing that nothing is known against him either professionally or personally so as to debar him from being enrolled or re-enrolled as a Pleader. Where sufficient cause is shown as to why the applicant cannot furnish the certificate and testimonial aforesaid, the Judge may accept any other evidence in proof of his having been previously enrolled and of his having a good character. If the application be in order, and the District Judge is satisfied that the applicant is not suffering from leprosy or other dangerous malady, and is otherwise a proper person to be enrolled or re-enrolled, he may be enrolled or re-enrolled accordingly; and upon every enrolment under this rule, the District Judge shall notify the fact of such enrolment to the Registrar of the High Court.

RENEWAL.

534. *Petition for renewal of certificate to practise.*—Every application for renewal of a certificate shall be made on or before 15th December by petition stamped under clause (b), article 1 Schedule II of Court Fees Act, 1870, of the Central Legislature, as adapted to Rajasthan, addressed to the Judge of the District Court in which the applicant is enrolled and ordinarily practises. The petition shall be accompanied by the expiring certificate and stamped paper of the value required for the renewed certificate, and shall be presented by the applicant in person, or, if the District Judge so permits, by a legal practitioner practising in the District Court and duly authorised in that behalf. Where an applicant practises in an outlying court, he may, if the District Judge so permits, present his petition in that court to be forwarded to the District Judge for orders.

The necessary postal charges for forwarding the petition by registered post as also for the transmission of the renewed certificate by registered post shall be paid by the applicant: Provided that if a pleader is enrolled in more than one District under Rule 527, he shall deposit the stamps under the second schedule of the Legal Practitioners Act in the District in which he was originally enrolled:

Provided further that in the case of a pleader who has been previously entered permanently as a Vakil, Pleader or Mukhtar on the roll of a former High Court or Chief Court in any Covenanting State, the High Court may on application issue to such pleader a certificate authorising him to practise permanently in the Courts and in the offices specified therein with effect from the 1st January, '54 or any subsequent date and a certificate so issued shall not be required to be renewed every year.

535. *Order on application for renewal.*—Unless it appears to the District Judge that the applicant is unfit by reason of leprosy or other dangerous-malady, or is otherwise an improper person to whom to grant a renewal of the certificate, a renewed certificate (F. 65, F. 66, or F. 67) shall be granted to him and signed by the District Judge, and be delivered to the applicant if he attends in person, or to the legal practitioner presenting the petition under Rule 534, or through the court forwarding his petition under Rule 534. On the renewed certificate shall be endorsed the memorandum of enrolment recorded on the expiring certificate, and the endorsement shall be authenticated by the District Judge. No certificate shall be renewed by any District Judge unless he is satisfied that the applicant at the time of the application is ordinarily practising in a Civil, Criminal or Revenue Court within the local limits of his jurisdiction.

If for any reason it appears to the District Judge that the applicant is an improper person to whom to grant a renewal of the certificate, he shall report the matter to the High Court for orders.

536. *High Court's power of renewal when applied for after 15th December.*—Except under a special order of the High Court passed on an application to be made through the District Judge, no Certificate shall be renewed to any Pleader who shall not have applied on or before 15th December in its current year for a renewal of his certificate.

537. *Forms of original and renewed certificates.*—The certificate of practice and renewed certificates shall be in the forms given in Appendix B and on stamp paper of the prescribed value.

538. *Return of certificates and renewals allowed.*—Each District Judge shall submit to the High Court in January of each year a return in the prescribed form (Ret. 60) of the certificates renewed by his court for that year; and shall at the same time submit to the High Court a list of such Pleaders as have not applied for a renewal of their certificates or to whom a renewal has been refused (Ret. 61).

At the time when the District Judge submits such returns to (the High Court, he shall cause to be forwarded a copy of each such return to) each District Magistrate within his Judgeship.

A list containing the names of all Pleaders whose certificates have not been renewed shall in January of each year be posted in the Court house of the District Judge with an intimation that such persons

are liable to penalties under sec. 32 of the Legal Practitioners Act, 1879 (Act No. XVIII of 1879), if found practising without having renewed their certificates.

The District in which a Pleader was originally enrolled should always be stated in the column of remarks when he obtains enrolment in an other district and in preparing this return, the names shall be arranged in the order in which they stand in the High Court's Register.

DISABILITIES OF LAWYERS.

539. *Service, Trade or business not allowed to pleader.*—If any applicant for admission as a Pleader holds any salaried appointment or carries on any trade or other business, the High Court may refuse to admit him, or pass such orders as on his application as it thinks proper.

If any person, who having been admitted as a Pleader, accepts any salaried appointment or enters into any trade or other business, he shall give notice thereof to the High Court, which may thereupon suspend such Pleader from practice, or pass such orders as the said Court may think fit. He shall give the notice through the District Judge in whose Court he is enrolled.

Ordinarily no Pleader can be permitted to take an active part in any trade or other business and at the same time to carry on a legal practice.

EXPLANATION :—The term 'salaried appointment' does not include any part time appointment relating to the teaching or other work connected with law.

540. *Place of practice.*—A Pleader is authorized to practice only after enrolment, and then only in a Court or office held within the territorial limits of the jurisdiction of the court of the District Judge in which he is enrolled.

541. *Authority for with drawing client's money.*—Pleaders shall not receive refunds or repayments of Court-fees, moneys or securities for money, except when they be by their vakalatnamas or mukhtarnamas distinctly authorised to receive the same.

N. B. Government Pleaders who do not file any Vakalatnama may, however, receive refunds or repayments when the application for refund or repayment has been signed by the Collector (or any other officer entrusted with the conduct of a suit) and the Government Pleader.

541A. *Accounts of Receipts and Disbursements of clients money.*—It shall be the duty of every pleader to keep regular accounts of all moneys received and disbursed by him in connection with each suit, appeal or proceeding in which he is engaged as Pleader. The failure to keep such accounts will be treated as a "reasonable cause" for suspension of certificate within the meaning of section 13 (f) of the Legal Practitioners Act 1879.

542. *Conditions on bidding at auction sales.*—No Pleader shall, at a sale in execution of a decree in a suit in which he has

been professionally engaged, bid for or purchase, whether in his own or in any other name, for his own benefit or for the benefit of any other person, any property sold in execution of such decree.

542-A. (1) No pleader who practices in the Court of any Magistrate shall sit as a Magistrate in such court or in any Court within the jurisdiction of such Court.

(2) A pleader who is member of a Panchayat shall be deemed while acting as such member to sit as a Magistrate for the purpose of this rule.

543. *Cancellation of the existing rules and certificates thereunder.*—All existing rules relating to matters which are provided for in the rules in this chapter are hereby cancelled, and certificates issued under the rules so cancelled shall be deemed to have been issued under these rules and shall remain effective till the end of the current year:

Provided that at the time of renewal of the certificates all pleaders will be classified as pleaders of the first or second grade according to these rules on reference to the High Court.

544. *Renewal fee on permanent certificates.*—If a certificate under the rules cancelled as aforesaid was issued as a permanent certificate, the amount of fee paid for the permanent certificate shall be credited towards such renewal fee until the expiry of the period for which such amount should have sufficed if renewal fee at the prescribed rate were paid each year, from the date of issue of the permanent certificate:

Provided that in case, the amount paid for a permanent certificate is exhausted by calculation as aforesaid on any date prior to 1st January, 1953, the renewal fee will become payable every year beginning from 1st January, 1953.

545. *Inquiry under Section 13 of Act.*—An order directing an inquiry under section 13 of the Legal Practitioners Act, may be made by the High Court on its own motion, or upon an application for the purpose.

546. *An application to be Supported by an affidavit.*—Every such application, unless made by a Judicial or Revenue Officer as such, or on behalf of the Government shall be supported by one or more affidavits to the truth of the facts set out therein.

547. *Procedure after receipt of application.*—The High Court on receipt of any such application—

(1) may summarily reject the same;

or

(2) may issue notice to the pleader to show cause against an inquiry under section 13 of the said Act, being directed on the ground that the matter imputed, if true, does not constitute reasonable cause for suspension or dismissal;

or

- (3) may direct an inquiry to be held before itself or before any court subordinate to it.

548. *Procedure after receipt of application.*—In case the High Court issues notice under clause (2) of Rule 547 above, it shall fix a date for hearing the case, and after hearing the persons charged against and the complainant on the date so fixed, shall either reject the application or direct an inquiry to be held.

549. *Procedure after receipt of application.*—If it be ordered that an inquiry be held before the High Court, a statement of the charge to be inquired into, shall be sent to the person charged, with a notice of the date on which the charge will be taken into consideration. The statement and notice shall be delivered to the person charged at least fifteen days before such date.

550. *Procedure after receipt of application.*—On the day appointed, or on any subsequent day to which the inquiry may be adjourned, the court shall record all evidence properly produced in support of the charge, or by the person charged, and thereafter shall hear the complainant and the person charged, and shall pass such orders as the court shall consider just.

551. *Evidence may be given by affidavits.*—If the High Court permits or so directs, the evidence may be given in whole or in part by affidavit; and the rules for the time being in force in regard to affidavits in the High Court under the Code of Civil Procedure shall be applicable, as far as may be, to such affidavits.

552. *Inquiry before a subordinate court.*—If it be ordered that an inquiry be held before a subordinate court, the procedure prescribed in rules 549, 550 and 551 shall be followed, so far as may be, with such modifications and additions as the High Court by special order may direct.

553. *Conduct of inquiries*—In all inquiries under section 13 or section 14 of the said Act, the conduct of the case against the person charged shall ordinarily rest with the person, if any, preferring the charge, but it may be entrusted at any time, by order of the Court, which directed or which is holding the inquiry, to any person appointed by such court for that purpose.

554. *Substance of any oral statement of facts in answer to the charge to be recorded.*—In all inquiries under section 13 or section 14 of the said Act, the substance of any oral statement of facts made in answer to the charge by the person charged shall be recorded by the Court holding the inquiry; and if the person charged tenders a written defence signed by himself, it shall be received and placed with the record.

555. *The person charged may appear as his own witness.*—In all inquiries under section 13 or section 14 of the said Act, the person charged may offer himself as a witness in his own behalf and

may thereupon be sworn or affirmed and examined in the same manner as any other witness, but he shall not be so called as a witness, or examined upon oath or affirmation except at his own request or with his express consent.

556. *Inquiry to be a judicial proceeding.*—Every such inquiry as aforesaid shall be deemed to be a judicial proceeding and the court holding the inquiry shall be deemed to be a Civil Court.

557. *Submission of inquiry report to the High Court.*—Where an inquiry is held by a subordinate court, it shall record its finding, and the grounds thereof, and shall submit its report to the High Court together with the record of the inquiry.

558. *Complainant and the person charged to be heard by the High Court.*—On receipt of the report, the High Court shall fix a date for the hearing of the case and shall cause notice of the day so fixed to be given to the complainant and the person charged, and shall afford them an opportunity of being heard before orders are passed in the case.

559. *Passing of final orders by the court.*—The court may thereafter either pass such final orders in the case as it thinks fit or refer it back for further inquiry, and upon receipt of the finding after such further inquiry, deal with the case in the manner provided in the above rule and pass final orders thereon.

560. *Order regarding costs.*—In passing final orders, the court may pass such order as regards the payment of the costs of the inquiry and of the hearing before it, as it thinks fit.

561. *How punishment of a pleader is to be carried out.*—When any pleader is reprimanded or suspended under the Legal Practitioners Act, a record of the punishment shall be entered against his name on the roll of pleaders and when a pleader is removed from practice, his name shall forthwith be struck off the roll, and the certificate of the pleader so suspended or removed shall be recalled.

562. *Suspension or dismissal of a pleader or advocate to be notified in the gazette.*—Every order of the High Court by which an advocate or pleader is suspended or dismissed under section 13 of the Legal Practitioners Act shall be notified in the Government Gazette.

FEEES OF LEGAL PRACTITIONERS.

563. *Taxation in decree of Legal Practitioners' fees and the certificate for such fees.*—(1) In drawing up a decree or order no fee to any legal practitioner not appearing for the Government or the Court of Wards as a party shall be allowed on taxation between party and party or shall be included in any decree or order, except in the case of an order of costs relating to an adjournment, unless the Munsarim or, on application to the Judge, the Judge is satisfied that the fee was paid to such legal practitioner before the commencement

of the argument, at the conclusion of the evidence, if any, in the suit, appeal or case followed by the delivery of the judgment or by the making of the order by which costs become payable and unless at or before such time there shall have been delivered to the Munsarim a certificate signed by the legal practitioner certifying the amount of the fee or fees actually paid to him for his own exclusive use and benefit by or on behalf of his client:

Provided that in any case the Presiding Officer may, for valid reasons to be recorded by him, accept a certificate for fees filed after the time mentioned above.

(2) The certificate above mentioned shall be, so far as is possible, in the following form:—

"In the Court of the _____ of _____
Between _____ and _____

For the purpose of having my fee allowed on taxation as against _____, I hereby certify that in the above case the following fees were paid to me on the dates and by the person or persons specified below, and that such fees were paid to me before the commencement of the argument at the conclusion of the evidence, if any, in the suit or application; and that the entire amount so paid was actually paid to me for my own exclusive use and benefit, and that no portion thereof has been or has been agreed to be, returned or remitted or appropriated to the use of any other person by me or by any one acting on my behalf.—

Matter	Fee	Date of Payment	By whom paid	Address of person who actually made such payment:

Signature.

Date of Signature.

Address or legal practitioner.

Filed on the day _____ of _____ by _____ of _____ "

(3) Nothing in this rule shall be deemed to authorize the allowance between party and party of any fees in excess of those allowed by rule.

564. *Conditions governing taxation of lawyer's fee.*—Rules 566 to 579 inclusive shall, subject to rule 563, regulate the amount of legal practitioners' fees to be taxed as costs under a decree or order of a Court in favour of any party to a suit, appeal, or other proceeding. These rules shall also regulate the amount of fees to be taxed in favour of or against the Government where costs are awarded by the Court in cases, under the Court Fees Act, 1870, and the Stamp Act, 1899, as adapted to Rajasthan, in which the Government are not a party.

The party entitled under a decree or an order to be paid costs in a suit or an appeal or a proceeding, by another party shall not be

entitled to any larger allowance for legal practitioners' fee in the suit, including all proceedings in the execution of the decree or order than the fee, hereinafter provided for in rules 566 to 579, which may be applicable to the case:

Provided that the fee received by a legal practitioner from a joint Hindu family, of which he is a member for appearance in a case shall not be certified by him, nor shall it be taxed as costs in the decree:

Provided further that this rule shall not apply to an order for costs relating to an adjournment.

565. *Right to hand over briefs.*—A legal practitioner when unable personally to attend to a case in which he is briefed may hand over the brief to another legal practitioner without the latter fitting a vakalatnama and the fees, to whomsoever, paid, shall, if duly certified, be taxable costs.

566. *Fees allowed in contested cases.*—In suits, or in appeals from original or appellate decrees in suits for money, effects or other personal property or for land or other immovable property of any description when such suits or appeals are decided on the merits after contest—

- (1) if the amount or value of the claim does not exceed Rs. 5,000/-, $7\frac{1}{2}\%$;
- (2) if the amount or value exceeds Rs. 5,000/- and does not exceed Rs. 20,000/-, on Rs. 5,000/- as above, and on the remainder 3 percent;
- (3) if the amount or value exceeds Rs. 20,000/- and does not exceed Rs. 50,000/-, on Rs. 20,000/- as above and on the remainder $1\frac{1}{2}\%$;
- (4) if the amount or value exceeds Rs. 50,000/- and does not exceed Rs. 80,000/-, on Rs. 50,000/- as above, and on the remainder at $\frac{3}{4}$ per cent;
- (5) if the amount or value exceeds Rs. 80,000/-, on Rs. 80,000/- as above, and on the remainder at $\frac{3}{4}$ percent.

Cases under the Land Acquisition Act and contested cases under the Probate and Administration Act shall be treated as regular suits or appeals, governed by the above scale of fees:

Provided that in a reference to civil court under the Land Acquisition Act, fees shall be calculated on the amount in dispute i. e., on the difference between the amount allowed by the Collector and the amount claimed by the applicant:

Provided further that in suits for money effects or other personal property, the minimum fee to be allowed on taxation shall be Rs. 3/- and in other suits Rs. 7/8/-.

567. *Fees in ex parte, or similar cases.*—When such suits or appeals are decided *ex parte*, on confession of judgment or compromised, withdrawn or dismissed for default, or when an appeal is rejected under Order XLI, rule 10 of the Code—

- (1) if the amount or value of the claim does not exceed Rs. 5,000/-, not exceeding $3\frac{1}{2}$ per cent;
- (2) if the amount or value exceeds Rs. 5,000/- and does not exceed Rs. 20,000/-, on Rs. 5,000/- as above, and on the remainder not exceeding $1\frac{1}{2}$ %;
- (3) if the amount or value exceeds Rs. 20,000/- and does not exceed Rs. 50,000/-, on Rs. 20,000/- as above, and on the remainder not exceeding $\frac{2}{3}$ per cent;
- (4) if the amount or value exceeds Rs. 50,000/- and does not exceed Rs. 80,000/-, on Rs. 50,000/- as above, and on the remainder not exceeding $\frac{3}{4}$ per cent;
- (5) if the amount or value exceeds Rs. 80,000/-, not exceeding Rs. 750/-:

Provided that in an uncontested reference to a Civil Court under the Land Acquisition Act, No. I of 1894, the scale of fee shall be one half of that allowed in a contested reference, calculated on the amount in dispute *i. e.* on the difference between the amount allowed by the Collector and the amount claimed by the applicant:

Provided further that in suits or appeals, compromised or withdrawn, a court may, having regard to the stage at which the compromise or the petition of withdrawal is filed, award the full fee as prescribed in rule 566 *supra*.

568. *Fees in certain applications.*—In applications under Section 14 and 20 of the India Arbitration Act, 1940 (Act X of 1940)—

- (1) if the amount or value of the claim does not exceed Rs. 5,000/-, not exceeding $3\frac{1}{2}$ per cent;
- (2) if the amount or value exceeds Rs. 5,000/- and does not exceed Rs. 20,000/-, on Rs. 5,000/- as above, and on the remainder not exceeding $1\frac{1}{2}$ per cent;
- (3) if the amount or value exceeds Rs. 20,000/- and does not exceed Rs. 50,000/-, on Rs. 20,000/- as above, and on the remainder not exceeding $\frac{2}{3}$ %;
- (4) if the amount or value exceeds Rs. 50,000/- and does not exceed Rs. 80,000/-, on Rs. 50,000/- as above and on the remainder not exceeding $\frac{3}{4}$ percent;
- (5) if the amount or value exceeds Rs. 80,000/-, not exceeding Rs. 750/-

569. *Fees in inquiries into pauperism.*—In an inquiry as to pauperism under Order XXXIII and XLIV of the Code, the fee payable to a Government Pleader, who has opposed an application for leave to sue as a Pauper, or has applied for the dispaupering of the plaintiff, shall be fifteen per centum on the amount of the Court Fee that would be payable on the plaint if the suit were not brought by a person alleging pauperism; provided that no fee in excess of Rs. 112/8/- shall be payable under this rule.

A Government Pleader who appears in the proceedings for the execution of a decree without having appeared in Court in the pro-

ceedings prior to decree, is entitled to the fee prescribed in the first part of this rule.

570. *Fees in certain appeals and in Miscellaneous cases.*—In appeals from orders in Miscellaneous Judicial cases including—

- (a) objections under section 47 C.P.C.;
- (b) objections under Order XXI, rule 58, C.P.C.;
- (c) applications to set aside a sale under Order XXI, rule 90, C.P.C.;
- (d) proceedings for the appointment of a receiver;
- (e) applications for an injunction, and in other cases—
 - (i) if the amount or value of the claim does not exceed Rs. 5,000/-, $1\frac{1}{2}\%$;
 - (ii) if the amount or value of the claim exceeds Rs. 5000/- and does not exceed Rs. 20,000/-, on Rs. 5,000/- as above, and on the remainder $\frac{3}{4}\%$;
 - (iii) if the amount or value exceeds Rs. 20,000/- and does not exceed Rs. 50,000/-, on Rs. 20,000/- as above, and on the remainder $\frac{3}{8}$ per cent;
 - (iv) if the amount or value exceeds Rs. 50,000/- and does not exceed Rs. 80,000/-, on Rs. 50,000/- as above, and on the remainder $\frac{3}{16}$ per cent;
 - (v) if the amount or value exceeds Rs. 80,000/- Rs. 375/-

571. *More fees taxable in special cases.*—In addition to the fee awarded under the preceding rules, the Court may in any case in which it considers that the employment of more than one legal practitioner was necessary and in which both a senior and a junior practitioner have been employed, award to the junior a fee not exceeding one third of the amount allowable under the preceding rule.

572. *Explanation of amount of claim.*—The words “the amount or value of the claim” in rules 566, 567, 568 and 570 mean the value for purposes of jurisdiction as set forth in the plaint, application or memorandum of appeal.

573. *Fractions of a rupee in amount of claim not allowed for calculating fees.*—Fractions of a rupee in the amount or value of a claim shall be rejected in calculating the fee payable thereupon.

574. *Courts' discretion in taxing fees.*—Notwithstanding the provisions of rules 566 to 570, a court may, in any case, for special reason to be recorded in the judgment, award a higher or a lower fee than that therein prescribed.

575. *Fees in cases not admitting of valuation.*—In cases in which the subject matter of the claim does not admit of valuation, the court shall fix a reasonable fee, regard being had to the time occupied in the decision of the case and the nature of the question raised therein.

576. *Fees in cases of common defence.*—If several defendants who have a joint or common interest succeed upon a joint defence or upon separate defences substantially the same, more than one fee

shall not be allowed, unless the Court shall otherwise order for a reason which shall be recorded in the judgment. If only one fee be allowed, the Court shall direct to which of the defendants it shall be paid, or shall apportion it among the several defendants in such manner as the court shall think fit.

577. *Fees in cases of separate defence.*—If several defendant who have separate interests, set up separate and distinct defences and succeed thereon a fee for one legal practitioner for each of the defendants who shall appear by a separate legal practitioner may be allowed in respect of his separate interest. Such fee, if allowed, shall be calculated with reference to the value of the separate interest of such defendant in the manner hereinbefore prescribed.

578. *Costs of stamp on Vakalatnama in above cases.*—For each fee allowed under the two last preceding rules, the value of the stamp on one Vakalatnama only shall be awarded as costs.

579. *Taxing of scribing charges.*—(1) In all decrees a fee equal to $\frac{1}{2}$ of the amount of process fees realized under articles 1 and 2 of parts I, II and III of rule 304 of these rules, shall be entered as the fee chargeable by one party against another for costs of drawing up summonses or notices.

(2) In all decrees a sum calculated at the rate of not more than 5%, on the taxed fee of a lawyer of a party, subject to a maximum of Rs. 37/8/- and a minimum of annas twelve, shall be taxed as costs on account of the fees of lawyer's clerk if it is paid and certified.

(3) In all decrees a sum of eight annas when the valuation is below Rs. 250/- and Re. 1/- when the valuation is Rs. 250/- or more, shall be taxed as costs for drawing up a plaint, a written statement, or a rejoinder irrespective of the agency employed. No amount shall be taxed as costs on account of miscellaneous applications.

CHAPTER XXIII.

Pleaders' Clerks.

580. *Acts to be done by Registered clerks*—The Courts shall allow the registered clerks of lawyers practising before them—

(1) to present applications signed by their masters for—

- (a) copies,
- (b) return of documents,
- (c) repayment of deposits,
- (d) inspection,

and (e) all applications of a routine nature;

(2) to take delivery of copies,

(3) to tender money;

(4) to identify persons verifying affidavits before the Munsarim,

(5) to take notes from the Memorandum book of Dates.

581. *Names of the clerks to be registered with the presiding officers of courts.*—All practising lawyers who wish their clerks to do the above acts must register them with the Presiding Officer of the

Court giving their full names, parentage, caste and address. These will be entered in a register (Reg. 95) to be maintained by the Court.

582. *In case of several courts, the clerk to be registered in the senior most court.*—When several Civil Courts are located at the same place, the clerk need only be registered in the senior most court whose register shall be circulated to all the subordinate civil courts every quarter for their information.

583. *Changes in the registered clerks to be duly notified.*—All changes in their registered clerks must be duly notified by practising lawyers. No unregistered clerk will be allowed to act on behalf of his master.

All changes duly notified will be entered in the register of clerks.

584. *Powers of the District Judge or the Presiding Officer of a court.*—The District Judge (or the Presiding Officer of any other court, subject to the control of the District Judge) may remove from the register the name of any Clerk guilty of any misconduct such as to unfit him for the exercise of such duties or convicted of any offence involving moral turpitude.

585. *Clerks not to inspect records.*—Clerks will not be allowed to inspect records.

586. *Restrictions as to the persons who may be employed as clerks.*—No restriction of any sort can be placed on members of the Bar as to the persons whom they may employ as Clerks, but the District Judge, (or the Presiding Officer of any other Court, subject to the control of the District Judge) may in the exercise of his discretion refuse to register a person whose name has once been struck off for misconduct or who has been convicted of any offence involving moral turpitude.

CHAPTER XXIV

Petition Writers.

587. *Persons who cannot be petition writers.*—No official of any Court and no person employed in any institution connected with the Court whether as Clerk, Copyist or peon or in any other capacity shall write petitions.

588. *Person who can write petitions.*—No person shall for remuneration of any kind write petitions for presentation in any Civil Court unless he—

- (a) has been duly licensed by the Presiding Officer of a court having authority to grant such licence under these rules; or
- (b) is a legal practitioner; or
- (c) is a clerk to a legal practitioner and writes the petition in the course of such employment in respect of the cases in which the legal practitioner is engaged provided the petition is signed by the latter.

589. *Number of petition writers to be fixed by the High Court for every place.*—The number of petition-writers licensed to practise at any place shall not exceed the number fixed from time to time by the High Court.

Pending any further orders under this rule, the number of petition-writers licensed to practise at any place, at the commencement of these rules, shall be deemed to be the number fixed for that place.

590. *Who can grant a licence to practise.*—In the case of several courts sitting at the same place, licence to practise shall be given only, by the senior court; and licence to practise in the court of an outlying Munsifi shall be granted by the District Judge on the recommendation of such Munsif.

591. *Grant of a licence and fee therefor.*—A person wishing to practise as a petition-writer within the precincts of the Civil Courts must present a petition bearing a proper court-fee stamp, to the Presiding Officer of the Court which has authority to grant the licence.

Every petition writer licensed under these rules shall pay a fee of Rs 5/- per year payable in advance. The licence, if granted, shall be in the prescribed form (F. 68).

592. *Qualification for a licence.*—Licence shall not be given unless the applicant shows—

- (a) that he is of respectable character;
- (b) that he has a good knowledge of Hindi and can draw up a clear, straight forward petition or memorandum of appeal in Hindi;
- (c) that his hand writing is easily legible.

592A.—A person who is a member of a Panchayat shall not practice as a petition-writer in any court within the jurisdiction of which the Panchayat is situated.

593. *Scales of charges for writing petitions.*—The District Judge, in consultation with the senior Civil Judge, and the senior Munsif at his headquarters and the President of the local Bar Association shall fix scales of charges for writing petitions, plaints and memoranda of appeals, which shall also be applicable in the case of petition-writers practising in the Civil Courts of the outlying districts.

A copy of the scale of charges fixed shall be sent by the District Judge to the High Court for information.

No petition-writer shall ask for or accept a fee in excess of the sanctioned scale.

A table in Hindi of the prescribed scale of charges shall be exhibited in a conspicuous place outside the court house and a copy shall also be kept by the petition-writer always in public view at the place where he sits.

The petition-writer shall always endorse the amount actually received by him below his signature on the petition written by him.

If any petition-writer asks or accepts a fee in excess of the sanctioned scale either for himself or for any other person connected with the court, the District Judge or the senior officer competent to grant licence, on complaint being made to him may, in his discretion, withdraw his licence and may also order the return of the amount received in excess in addition to taking any legal step that the nature of the case may require.

594. *Formalities to be complied with by a petition writer.*—Every petition-writer shall write out a brief note of the contents of the petition as a head note to the same, quoting specially the law, section or rule under which the petition is made. He must record precisely what he is asked to write in plain and simple language such as the petitioner can understand and refrain from introducing additional irrelevant, imaginary or fabricated matter of his own conception. He shall record at the foot of every petition written by him other than a petition of a merely formal character, a declaration under his signature that to the best of his knowledge and belief the petition expressed the true meaning of the petitioner to whom the contents thereof have been fully explained.

595. *Amending or redrafting of a petition.*—Every petition-writer shall comply with the order of a court as to the amending or the redrafting of a petition or other paper drawn up by him.

596. *A petition writer to keep an official seal and a register of petitions.*—Every petition-writer shall at his own expense provide himself with an official seal to be made under the direction of the Court which has granted him the licence, on which shall be engraved his name and the year in which he was licensed. He shall also keep up a register in the prescribed form (Reg. 98) and shall enter therein every petition written by him and shall produce the register for the inspection of any court demanding it.

597. *Every petition to be signed and sealed by the petition writer.*—Every petition writer shall sign and seal with his official seal every petition written by him and shall enter in it the number which it bears in his register and the fee which has been charged for it.

598. *The Nazir to maintain a register of licensed petition writers and to disallow unregistered petition writers to write petitions.*—A register in the prescribed form (Reg. 96) of licensed petition-writers shall be maintained by the Nazir and it shall be his duty to see that the precincts of the Court are kept free of all unregistered writers and that no one writes petitions for remuneration within the court compound.

599. *Yearly production of licence for the inspection of the court.*—Every petition-writer shall in the month of August each year produce his licence for the inspection of the court which granted it. A note of such inspection shall be endorsed on the licence under the signature of the Presiding Officer.

600. *Grounds for revoking a licence.*—(1) A licence issued under these rules may be revoked by the court which granted it on any of the following grounds:—

- (a) that the petition-writer has not attended the court regularly;
 - (b) that the petition-writer has become a legal practitioner's clerk, or has taken up some other employment;
 - (c) that the petition-writer has failed to produce his licence for the annual inspection of the court as required by rule 599;
 - (d) that the petition-writer is a tout, as defined in the Legal Practitioners Act, 1879 (Act XVIII of 1879);
 - (e) that the petition-writer has not paid his annual fee;
 - (f) that the petition-writer has been found guilty of abatement of or participation in any illegal transaction or unfair dealings;
- or (g) that the petition-writer has been found guilty of disobedience of a lawful order.

(2) Such licence may also be revoked for any other good cause to be recorded by the Court revoking the permission.

(3) No appeal shall lie from any order passed by a Court under sub-rule (1) or sub-rule (2), but the High Court may in its discretion revise any such order, and in place thereof pass such order as it thinks fit.

601. *A petition writer not to enter any room in a court.*—No petition-writer shall, without the permission of the Presiding Officer, enter any room in a court in the precincts of which he is entitled to practise.

602. *Penalty for practising as a petition writer without a licence.*—Any person who practises as a petition-writer without obtaining a licence under these rules, or while the licence is suspended, and every petition-writer who practises as such without getting his licence renewed, shall be liable to a penalty not exceeding fifty rupees.

603. *Imposition of penalty.*—(1) The penalty prescribed by Rule 602 may be imposed by the Court authorised to grant the licence, but no penalty shall be inflicted unless the person charged has had an opportunity of defending himself.

(2) No appeal shall lie from any order passed by a Court under sub-rule (1), but the High Court may, in its discretion revise any such order and in its place pass such order as it thinks fit.

604. *Grant of leave of absence to a petition writer.*—The Presiding Officer of the Senior Civil Court at any place may grant leave of absence for any period to a petition-writer of his Court and may grant a temporary licence to any competent person of good character to act as petition-writer during such absence or for such period thereof as he may deem necessary.

605. *Cancellation of existing rules and regulations.*—All existing rules or regulations relating to matters which are provided for in these rules are hereby cancelled; provided that licenses issued under the rules so cancelled shall be deemed to have been issued under these rules and shall remain effective till the end of the current year.

CHAPTER XXV

Inspection of Offices.

606. *Inspection of Subordinate Courts by District Judges.*—Every District Judge shall inspect his subordinate courts and offices and also his own office at least once a year.

Note 1.—Instructions for such inspection are given in Appendix I.

Note 2.—The court looks to the District Judges for correct information about subordinate Judicial Officers ability, control over judicial work, and control over their offices.

Report of such inspections shall be sent to the High Court.

607. *Inspection by judicial Officers of their officers.*—Every Judicial Officer shall inspect his office effectively in every branch at least four times a year.

Note.—The Court desires to impress on Judicial Officers that work in the offices of courts is as important as judicial work in the Court. Unless an Officer can keep proper control over one office, he can hardly be expected to keep in proper control several offices as a District Judge.

Report of such inspections shall be sent to the District Judge.

608. *Inspection of common offices.*—Every Judicial Officer appointed as Officer in charge of a department under the District Judge shall make surprise inspection of such department at least once a quarter and shall send the report of such inspection to the District Judge.

609. *Munsarim's authority to inspect his office.*—Every Munsarim of a court shall inspect the work of the staff attached to the Court at least once a quarter. He shall report the result of his inspection to the Presiding Officer as soon after the inspection as possible.

CHAPTER XXVI

Miscellaneous

610. *Dress of Military Officers and Soldiers appearing in Courts.*—Courts shall see that the following instructions for the dress of Military Officers and Soldiers appearing before a Civil Court are observed:—

(1) An Officer or soldier required to attend a Court in his official capacity should appear in uniform. Attendance in an official capacity includes attendance—

(a) as witness, when evidence has to be given of matters which come under the cognizance of the Officer or soldier in his military capacity;

(b) by an Officer for the purpose of watching a case on behalf of a soldier or soldiers under his command.

(2) An Officer or soldier required to attend a Court otherwise than in his official capacity may appear either in plain clothes or uniform.

(3) An Officer or soldier shall not wear his sword or side arms if he appears in the character of an accused person, or under military arrest or if the Presiding Officer of the court thinks it necessary to require the surrender of his arms, in which case a statement of the reasons for making the order shall be recorded by the Presiding Officer and, if the military authorities so request, forwarded for the information of the Commander-in-Chief.

(4) Firearms shall under no circumstances be taken into court.

(5) An Officer with a European style head dress will remove the same while the Judge is present, except when he is on duty under arms with a party or escort inside the Court.

611. *Court dress for Officers and Lawyers.*—The following distinctive costumes shall be worn by Presiding Officers of Civil Courts and by Pleaders and Advocates practising in such Courts:—

(i) By District and Sessions Judges; a gown made after the pattern of a King's Counsel's gown of black silk or stuff with bands.

(ii) By Judges of Small Causes Courts and Civil Judges; a black gown made after the pattern of a Barrister's gown but without purse, with bands.

(iii) By Advocates; a black gown of alpaca or other stuff made after the pattern of a King's Counsel's gown, with bands.

(iv) By Pleaders—the gown prescribed for Advocates, but without sleeves and without bands.

(v) If a Vakil or Pleader desires to wear a head dress of any kind, he should wear a turban.

(vi) Judges in all the courts, when sitting on the bench shall wear black coats or *achkans*.

(vii) All advocates and vakils when appearing in a Court shall wear black coats or *achkans*.

(viii) The operation of the rule regarding the wearing of gowns shall be suspended in the summer season for such period as may be fixed each year by the Chief Justice.

(ix) Advocates and Vakils may not wear their gowns when appearing before Judges who are not themselves required to wear gowns.

612. *Report of casualty among judicial Officers.*—All Judicial Officers shall report to the High Court, without delay, any casualty that may occur among gazetted Judicial Officers subordinate to them.

613. *Prohibition against becoming arbitrator.*—No Judge or ministerial official of a Civil Court shall accept the office of arbit-

rator in any Civil action without the permission of the High Court in the case of a Judge, and of the District Judge in the case of a ministerial official being first obtained. In any application for such permission the circumstances of the case and the names of the parties shall be stated, and the special reasons which may have led the officer to entertain a request for his services as an arbitrator shall be specified.

614. *Obligations of public Officers.*—Every District Judge shall, so far as possible, check any departure by any subordinate Judicial Officer from the rules as to public officers issued by the Government from time to time.

615. *Absences from Court.*—Whenever a District Judge, or an Additional District Judge, or a Civil and Additional Sessions Judge without leave previously obtained absents himself from his court, such absence and the cause thereof shall be reported to the High Court by the next day. Such absence should not be for more than two working days in any one month, and shall be treated as casual leave. In similar cases, a Judge of a Court of Small Causes, a Civil Judge or a Munsif shall make a report to the District Judge who shall treat such absence as casual leave.

616. *Permission to leave District.*—Subject to any general instructions by the High Court, no District Judge, Additional District Judge or Civil and Additional Sessions Judge shall leave the district to which he is attached without previously having obtained permission. Such permission shall, in the case of a District Judge be obtained from the High Court, and in the case of an Additional District Judge or Civil and Additional Sessions Judge from the District Judge.

617. *Permission to subordinate officers to leave district.*—No Judge of a Court of Small Causes, Civil Judge or Munsif shall leave the district to which he is attached either during close holidays or at any other time, without having previously obtained permission from the District Judge or, in the case of officers not at the headquarters of the Judgeship, of the Civil and Additional Sessions Judge, if any, with whom he shall leave his address in order to enable the District Judge or the Civil and Additional Sessions Judge to communicate with him at once in his absence, should this be necessary. Any breach of this rule shall be reported to the High Court by or through the District Judge.

618. *Channel of correspondence for Judicial Offices.*—Every communication made to the High Court by a Judicial Officer under the administrative control of the District Judge, whether it be an application regarding leave, transfer, promotion, or any other matter, shall be made through the District Judge and not otherwise.

619. *Application for leave.*—On forwarding to the High Court an application by himself or by a Judge under his administrative control for leave of absence for a period exceeding one month,

the District Judge shall submit a statement in the prescribed form (Ret. 69) of the business pending in the court of the officer applying for leave and shall expressly state whether or not he considers that an acting appointment should be made.

620. *Contents of application for leave.*—Judicial Officers, when applying for leave other than casual or special casual leave shall state in their applications whether or not they were prevented from availing themselves of any, and if so, of what portion of the three previous vacations, by reason of having to remain at their post on duty.

621. *Information about casual leave of transferred officer.*—When a Judge of the Court of Small Causes, a Civil Judge, or a Munsif is transferred from the Jurisdiction of one District Judge to the jurisdiction of another District Judge, the District Judge from whose jurisdiction he is transferred shall transmit to the Judge of the District to which he is transferred, a copy of the register (Ret. 70) for the then calendar year, so far as it related to the casual leave taken by such Judge or Munsif. The District Judge to whose jurisdiction he is transferred shall cause such extract to be copied into his register of casual leave.

622. *Annual examination of safes.*—Every District Judge shall examine annually all safes kept in his office and offices subordinate to him.

Where duplicate keys of a safe exist, he shall note whether one of such duplicate keys is made over to the Treasury Officer for custody. He shall also note whether the safes are in good and sound condition.

623. *Custody of Duplicate keys of safes.*—Where duplicate keys of safe exist, the duplicate key or keys shall be sent to the nearest Treasury office for safe custody. The key before being sent to the Treasury should have a strong cloth label and be inscribed with particulars showing of which safe it is the key. When the key of a particular safe is missing, the District Judge will send for the duplicate kept in the Treasury and make immediate report of loss to the Registrar, High Court, with particulars available regarding the loss.

624. *Disposal of Weeded Papers.*—All weeded documents and papers shall be disposed of as follows:—

- (1) Confidential papers including notes and orders on administrative matters shall be torn into very small pieces, thoroughly mixed to prevent the possibility of re-assembly, under the personal supervision of a responsible officer, and thereafter sold as waste paper. Stamps and court-fee labels should, however, be torn to pieces and burnt in the presence of the Record Keeper.
- (2) All the original documents and papers forming parts of records as also certified copies of such documents and papers shall be torn across and then sold as waste paper to the best advantage.

- (3) Papers not covered by clauses (1) and (2) and the accumulation of waste paper baskets shall be sold as waste paper without being torn at all.

To ensure that the best price is being obtained for the paper, inquiries should be made as to the prices obtainable in neighbouring districts.

625. *Rules relating to fire in buildings.*—Rules for providing against the occurrence of fire in Court buildings contained in Appendix G shall be strictly complied.

626. *Applications for buildings or additions or alterations to buildings.*—Applications for new buildings, and for additions or alterations to existing buildings shall not be made to the Department of Public Works, except through the Registrar of the High Court. When petty repairs have become necessary in any court-house by reason of heavy rain or other cause, the Presiding Officer of the Court shall send immediate intimation of such necessity to the District Judge.

627. *Gratifications prohibited (Notice).*—A notice in English and Hindi in the prescribed form (F.69) prohibiting the practice of soliciting, giving or receiving gratifications in connection with cases shall under the signature of the Presiding Officer of each Court be hung up on a board conspicuously in every Court and office room, and the Munsarim, or other Chief Ministerial Official shall be held responsible that the notices are preserved and kept in their proper places.

628. *Application by Clerical Staff for leave.*—An application for leave by a ministerial officer shall ordinarily be submitted to the Presiding Officer through the Munsarim, who shall hand it on with such report as may be necessary, as to the leave available to the applicant and the arrangement for his work in his absence, etc.

629. *Casual leave.*—Application for casual leave by a District and Sessions Judge shall be submitted to the High Court. Applications for casual leave by an Additional District Judge or Civil and Additional Sessions Judge, shall be submitted to the High Court through the District Judge.

Casual leave upto fifteen days in the year and for not more than ten days at a time may be allowed to a Judge, Small Cause Court, Civil Judge, or Munsiff by a District Judge.

Presiding Officers may allow casual leave to their staff upto the limit indicated above.

Sundays and other gazetted holidays can be prefixed and/or suffixed to casual leave, provided the total absence on casual leave together with Sundays or holidays does not exceed 10 days at a time.

630. *Proceedings under the Indian Companies Act in Subordinate Courts.*—When any proceedings in the form of a suit

or application under the Indian Companies Act (No. VII of 1913), are started in a Court subordinate to the High Court, in relation to any company proceedings in the High Court, a copy of the plaint or application shall be sent at once to the Registrar of the High Court.

631. *Stock Book.*—All articles of furniture and stock, (excepting books and articles of stationery) for which special registers are prescribed, shall be entered in the Stock Register (Reg. 97) prescribed for the purpose.

632. *Court seals.*—A Court seal is supplied to the Court of each District Judge, Civil Judge, Small Cause Court Judge and Munsif. The approved dimensions of seals are given in Appendix H, but till such time as new seals are supplied to them all courts shall continue to use the seals with them.

633. *Use and custody of seal.*—Each Court shall use its own seal which shall remain in the custody of the Munsarim or under his supervision with an official appointed for this purpose by the Presiding Officer. The seals of additional courts when such courts cease to exist shall be kept in safe custody by the Munsarim of the District Court.

634. *Responsibility for custody of seal.*—The Munsarim of every court shall be responsible for the safe custody and proper use of endorsement and other seals used in the various departments.

635. *Officers certificate of reading.*—Every Judicial Officer on his first appointment shall within 3 months next of his posting certify to the District Judge that he has read the General Rules (Civil), 1952.

636. *Upkeep of the Book of General Rules (Civil).*—The Munsarim of every Court shall be responsible that the copy of General Rules (Civil), 1952, in that Court is kept up-to-date with all amendments noted in the appropriate place and all amendment slips correctly posted and noted in the Table of Amendments at the end of this volume.

APPENDICES

VOLUME 2

APPENDIX A.

List showing territorial limits and places of sitting of the permanent Civil Courts in Rajasthan.

PART I

District (and sessions) Judges.

Serial No.	Title.	Territorial limits of jurisdiction.	Place of sitting.
1.	District (and sessions) Judge, Jodhpur.	Jodhpur and Jaisalmer Districts.	Jodhpur.
2.	District (and sessions) Judge, Pali.	Pali and Sirsahi Districts.	Pali.
3.	District (and sessions) Judge, Balotra.	Barmer and Jalore Districts.	Balotra.
4.	District (and sessions) Judge, Merta.	Nagaur District	Merta.
5.	District (and sessions) Judge, Jaipur City.	Jaipur City and Tonk District.	Jaipur.
6.	District (and sessions) Judge, Jaipur District.	Jaipur District.	Jaipur.
7.	District (and sessions) Judge, Alwar.	Alwar District.	Alwar.
8.	District (and sessions) Judge, Bharatpur.	Bharatpur and Sawai Madhopur Districts.	Bharatpur.
9.	District (and sessions) Judge, Sikar.	Sikar District.	Sikar.
10.	District (and sessions) Judge, Jhunjhunu.	Jhunjhunu District.	Jhunjhunu.
11.	District (and sessions) Judge, Udaipur.	Udaipur and Dungarpur Districts.	Udaipur.
12.	District (and sessions) Judge, Bhilwara.	Bhilwara District.	Bhilwara.
13.	District (and sessions) Judge, Partapgarh.	Chittorgarh and Baswara Districts.	Partapgarh.
14.	District (and sessions) Judge, Bikaner.	Bikaner and Churu Districts.	Bikaner.
15.	District (and sessions) Judge, Ganganagar.	Ganganagar District.	Ganganagar.
16.	District (and sessions) Judge, Kotah.	Kotah, Jhalawar and Bundi Districts.	Kotah.

PART II

Civil (and Additional Sessions) Judges.

Serial No.	Title	Territorial limits of jurisdiction.	Place of sitting.
1.	Civil and Additional Sessions, Judge, Jodhpur.	Jodhpur and Jaisalmer District.	Jodhpur.
2.	Civil and Additional Sessions, Judge, Balotra.	Barmer and Jalore Districts.	Balotra.
3.	Civil and Additional Sessions, Judge, Merta.	Nagaur District.	Merta.
4.	Civil and Additional Sessions, Judge, Sirohi.	Sirohi District.	Sirohi.
5.	Civil and Additional Sessions, Judge, Jaipur.	Jaipur City and Tonk District.	Jaipur.
6.	Civil and Additional Sessions, Judge, Kishengarh	Kishengarh sub-Division.	Kishengarh
7.	Civil and Additional Sessions, Judge, Gangapur.	Sawai Madhopur District and Gangapur Sub-Division	Gangapur.
8.	Civil and Additional Sessions, Judge, Dholpur.	Dholpur Sub-Division, Gird and Rajkhera Tehsils.	Dholpur.
9.	Civil and Additional Sessions, Judge, Tonk.	Tonk Sub-Division	Tonk.
10.	Civil and Additional Sessions, Judge, Udaipur.	Udaipur and Dungarpur Districts.	Udaipur.
11.	Civil and Additional Sessions, Judge, Banswara.	Banswara District.	Banswara.
12.	Civil and Additional Sessions, Judge, Churu.	Churu District.	Churu.
13.	Civil and Additional Sessions, Judge, Ganganagar	Ganganagar District.	Ganganagar.
14.	Civil and Additional Sessions, Judge, Bundi.	Bundi District.	Bundi.
15.	Civil and Additional Sessions, Judge, Baran.	Baran, Chabra and Sironj Sub-Divisions.	Baran.
16.	Civil and Additional Sessions, Judge, Jhalawar,	Jhalawar District.	Jhalawar.

PART III
Judges, Small Cause Courts.

Serial No.	Title	Territorial limits of jurisdiction	Place of sitting.
1.	Judge, Small Causes Court, Jodhpur.	Jodhpur Sub-Division excluding Bilara Tehsil.	Jodhpur.
2.	Judge, Small Causes Court, Jaipur.	Jaipur City.	Jaipur.
3.	Judge, Small Causes Court, Udaipur.	1. Udaipur City. 2. Girwa Tehsil of Udaipur Sub-division. 3. Phalasia Sub-division. 4. Salumber and Sarada Tehsils of Sara Sub-division.	Udaipur.

PART IV
Civil Judges

Serial No.	Title	Territorial limits of jurisdiction	Place of sitting.
1	Civil Judge, Jodhpur.	Jodhpur District and Bap Sub-Division of Jaisalmer District.	Jodhpur.
2	Civil Judge, Pali.	Pali Tehsil, Bali and Desuri Sub-Divisions.	Pali.
3	Civil Judge, Sojat.	Sojat and Jaitaran Sub-Division.	Sojat.
4	Civil Judge, Jaisalmer.	Jaisalmer Sub-Division.	Jaisalmer.
5	Civil Judge, Jaipur City.	Jaipur City (Municipal limits)	Jaipur.
6	Civil Judge, Jaipur District	Jaipur Sub-Division excluding Jaipur city, Dausa Sub-Division, Shahpura Sub-Division, Amer Sub-Division.	Jaipur.

	sion, and Phagi Tehsil of Phulera Sub-Division.	
7 Civil Judge, Sambhar.	Phulera Sub-Division excluding Phagi Tehsil.	Sambhar
8 Civil Judge, Nim-ka-thana.	Nim-ka-thana Sub-Division.	Nim-ka-thana.
9 Civil Judge, Sikar.	Sikar and Fatehpur Sub-Divisions.	Sikar.
10 Civil Judge, Jhunjhunu.	Jhunjhunu District.	Jhunjhunu.
11 Civil Judge, Alwar ...	Alwar District including Alwar City.	Alwar.
12 Civil Judge, Bharatpur.	Bharatpur, Bayana And Deeg. } Sub-Divisions	Bharatpur.
13 Civil Judge, Udaipur	Udaipur District excluding Kherwara Tehsil	Udaipur.
14 Civil Judge, Dungarpur.	Dungarpur District and Kherwara Tehsil of Udaipur District.	Dungarpur.
15 Civil Judge, Nimbahera.	Chittorgarh District excluding Pratapgarh Sub Division.	Nimbahera.
16 Civil Judge, Pratapgarh.	Pratapgarh Sub-Division.	Pratapgarh.
17 Civil Judge, Bhilwara ...	Bhilwara District excluding Shahpura Sub-Division.	Bhilwara.
18 Civil Judge, Shahpura ...	Shahpura Sub-Division.	Shahpura.
19 Civil Judge, Kotah	Kotah and Chechat Sub-Divisions and Indergarh.	Kotah.
20 Civil Judge, Bikaner ...	Bikaner District.	Bikaner.
21 Civil Judge, Ratangarh.	Ratangarh Sub-Division.	Ratangarh.
22 Civil Judge, Ganganagar.	Ganganagar, Karanpur and Raisinghnagar Sub Divisions.	Ganganagar.
23 Civil Judge, Suratgarh ...	Sadulgarh and Nohar Sub-Divisions.	Suratgarh.

PART V

Munsifs.

1 Munsif, Jodhpur City ...	Jodhpur City ...	Jodhpur.
2 Munsif, Jodhpur District.	Jodhpur Sub-Div.	Jodhpur.

		sion excluding Jodhpur City and Bilara Tehsil.	
3	Munsif, Phalodi	... Phalodi Sub-Division and Bap Sub-Division.	Phalodi.
4	Munsif, Bilara	Bilara Tehsil	Bilara.
5	Munsif, Barmer	... Barmer Sub-Division excluding 30 villages of police station, Jasol.	Barmer.
6	Munsif, Balotra	... Balotra Sub-Division including thirty villages under police station Jasol of Barmer District.	Balotra.
7	Munsif, Jalore	... Jalore Tehsil	... Jalore.
8	Munsif, Sanchore	... Sanchore Tehsil	.. Sanchore
9	Munsif, Bhinmal	... Jaswantpura Tehsil.	Bhinmal.
10	Munsif, Sojat	... Sojat Tehsil	... Sojat.
11	Munsif, Bali	... Bali Tehsil	... Bali.
12	Munsif, Desuri	... Desuri Tehsil	... Desuri.
13	Munsif, Jetaran	... Jetaran Tehsil	Jetaran.
14	Munsif, Nagaur	... Nagaur Tehsil	... Nagaur.
15	Munsif, Parbatsar	... Parbatsar Tehsil	... Parbatsar
16	Munsif, Metra	... Merta Tehsil	... Merta.
17	Munsif, Nawa	... Nawa Tehsil	... Nawa.
18	Munsif, Didwana	... Didwana Tehsil	... Didwana.
19	Munsif, Sirohi	... Sirohi District	... Sirohi.
20	Munsif, Jaipur (East)	... Jaipur City (Eastern Part).	Jaipur.
21	Munsif, Jaipur (West)	... Jaipur City (Western Part),	Jaipur.
22	Munsif, Jaipur District	... Jaipur Sub-Division (excluding Jaipur City), Amer Sub-division and Phagi Tehsil.	Jaipur.
23	Munsif, Dausa	... Dausa and Lalsot Tehsils.	Dausa.
24	Munsif, Bandi Kui	... Bandi Kui and Sikrai Tehsils of Dausa Sub-Division.	Bandi Kui.
25	Munsif, Kotputli	... Shahpura Sub-Division (Kotputli and Bairath Tehsils)	Kotputli.
26	Munsif, Kishengarh	... Kishengarh Sub-Division.	Kishengarh.

27	Munsif, Tonk	... Tonk Sub-Division.	Tonk.
28	Munsif, Malpura	... Malpura Sub-Division.	Malpura.
29	Munsif, Sawai Madhopur	Sawai Madhopur Sub-Division.	Sawai-Madhopur.
30	Munsif, Karauli	... Karauli Sub-Division.	Karauli.
31	Munsif, Gangapur	... Gangapur Sub-Division.	Gangapur.
32	Munsif, Hindaun	... Hindaun Sub-Division.	Hindaun.
33	Munsif, Bharatpur	... Bayana and Deeg Sub-Divisions.	Bharatpur.
34	Munsif, Dholpur	... Gird and Rajakhara Tehsils.	Dholpur.
35	Munsif, Bari	... Bari and Basari Tehsils.	Bari.
36	Munsif, Alwar	... Alwar Tehsil including Alwar City.	Alwar
37	Munsif, Lachhamangarh	Lachhamangarh Tehsil.	Lachhamangarh.
38	Munsif, Rajgarh.	Rajgarh Tehsil	Rajgarh.
39	Munsif, Behror	Behror Sub-division (Behror and Bansur Tehsils).	Behror.
40	Munsif, Thanaghazi	Thanaghazi Tehsil	Thana Ghazi
41	Munsif, Kishengarh, (Tijara).	... Tijara, Kotqasim and Mandawar Tehsils.	Kishengarh (Tijara).
42	Munsif, Nimkathana.	Nimkathana Sub-division.	Nimkathana
43	Munsif, Udaipur City	Udaipur City.	Udaipur.
44	Additional Munsif, Udaipur.	Girawa Tehsil of Udaipur Sub-division, Phalasia Subdivision, (i. e. Phalasia, Kota and Saira Tehsils) and Salumber and Sarada Tehsils of Sarada Sub-division.	Udaipur.
45	Munsif Nathdwara	Khamnor Tehsil of Udaipur Sub-division.	Nathdwara.
46	Munsif, Mavli.	Unthala Sub-division excluding Lasadia Tehsil (i. e., Mavli, Unthala and Bhopal Sagar Tehsils).	Mavli.

47	Munsif, Rajsamand.	Rajsamand Sub-division (Rajsamand, Relmagra, Kumbhagarh and Amet Tehsils.	Rajsamand.
48	Munsif, Bhim.	Bhim Sub-division (Bhim and Deogarh Tehsils).	Bhim.
49	{ Munsif, Kanod.	{ Lasadia Tehsil. and Khamnor and Bhinder Sub-Tehsils of Unthala Tehsil, Dungla Tehsil.	{ Kanod.
50	Munsif, Chittorgarh	Chittorgarh and Begun Sub-divisions.	Chittorgarh.
51	Munsif, Kapasin.	Kapasin Sub-division (Kapasin and Rasmi Tehsils).	Kapasin.
52	Munsif, Bhilwara.	Bhilwara and Mandal Tehsils of Bhilwara Sub-division.	Bhilwara.
53	Munsif, Gangapur (Sahada).	Sahada, Kareda and Raipur Tehsils of Bhilwara Sub-division.	Gangapur (Sahada).
54	Munsif, Banera.	Harda Sub-division and Banera Tehsil of Bhilwara Sub-division.	Banera.
55	Munsif, Mandalgarh.	Mandalgarh Sub-division.	Mandalgarh.
56	Munsif, Banswara.	Banswara Sub-division.	Banswara.
57	Munsif, Kushalgarh.	Kushalgarh Sub-division.	Kushalgarh.
58	Munsif, Sagwara.	Sagwara Tehsil.	Sagwara.
59	Munsif, Chhotisadri.	Chhotisadri and Bari-sadri Tehsils of Nimbahera Sub-division.	Chhotisadri.
60	Munsif, Kotah.	Kotah City, Ladpura, Barod and Digod Tehsils and Indergarh Sub-Tehsil.	Kotah,
61	Munsif, Ramganjmandi.	Chechat Sub-division.	Ramganjmandi.
62	Munsif, Mangrol.	Mangrol and Itawa Tehsils and Pipalda	Mangrol.

	Tehsils excluding Indergarh Sub- Tahsil.	
63 Munsif, Baran.	Baran Sub-division excluding Mangrol Tehsil.	Baran.
64 Munsif, Chhipabarod.	Chhabra Sub-division (Chhabra, Chhipa- barod and A t r u Tehsils)	Chhipabarod
65 Munsif, Sironj.	Sironj Sub-division (Sironj and Lateri Tehsils).	Sironj.
66 Munsif, Bundi.	Bundi Sub-division (Bundi, Talera and Patan Tehsils).	Bundi.
67 Munsif, Nainwa.	Nainwa Sub division (Nainwa Tehsil ex- cluding 29 villages transferred to Aligarh Tehsil in Tonk Dis- trict and Hindoli Tehsil.)	Nainwa.
68 Munsif, Bhawani-mandi.	Pachpahar, Gangdhar and Deeg Tehsils of Jhalawar Sub-divi- sion.	Bhawani- mandi.
69 Munsif, Jhalarapatan.	Jhalarapatan, and Pirawa Tehsils of Jhalawar Sub-division and Bakani Tehsil of Aklera Sub-division	Jhalara- patan.
70 Munsif, Aklera.	Aklera and Manohar- thana Tehsils of Aklera Sub-division	Aklera.
71 Munsif, Khanpur.	Khanpur Tehsil.	Khanpur.
72 Munsif, Bikaner.	Bikaner District.	Bikaner.
73 Munsif, Sadulgarh.	Sadulgarh Tehsil.	Sadulgarh.
74 Munsif, Bhadra.	Nohar Sub-division (Nohar and Bhadra Tehsils).	Bhadra.
75 Munsif, Churu.	Rajgarh Sub-division (Rajgarh, Churu and Taranagar Tehsils).	Churu.

APPENDIX B.

(1) List of forms prescribed by the General Rules (Civil), 1952.

S. No.	Description	Reference to Rule
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20	Estimate of charges for a copy of Book, Register, Map or plan or any extract thereof.	226
21	Tender	255
22	Advice list of Receipts and Repayments of Deposits	263
23	List of the unexpended balances of deposited money which are due and have become repayable.	266
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25	Repayment Order.	273
26	Receipt for repayment order Book.	275
27	Treasury Officer's Certificate of non-payment of last repayment order	279
28	Receipt of direct payment made in court.	283
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30	Report of sale affected by a Collector	297
31	Certificate for refund of court fee	328
32	Form of engagement of Curator	404
33	Form of Security Bond	404
34	Form of Sanad.	404
35	Form of Citation under Section 283	404
36	Form of Administration Bond	406
37	Inventory to be furnished by an Executor or Administrator	408
38	Account to be furnished by an Executor or Administrator	408
39	General Title of Insolvency Petition	419
40	Debtors Petition	419
41	Notice to Creditors of the date of hearing of an Insolvency Petition.	419
42	Order of Adjudication.	419
43	Order appointing a Receiver.	419
44	Notice to Creditors of the date of consideration of a composition or scheme of arrangement under Section 38 (1)	419
45	List of Creditors for use of meeting held for consideration of composition or scheme	419
46	Notice to persons claiming to be creditors of intention to declare final dividend under Section 54.	419
47	Order annulling adjudication under Section 35	419
48	Notice to creditors of application for discharge under Section 41 (1)	419
49	Order of discharge subject to conditions as to earning after acquired property and income under Section 41 (2).	419
50	Notice of application by scheduled creditor.	419
51	Receipt Book	443
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58	Payment order by Amin	500
59	Security Bond	510
60	Personal bond with sureties	511
61	Application for enrolment as a pleader	524
62	Certificate of admission of pleader (Section 7, Legal Practitioners Act, 1879)	525
63	Certificate of admission of pleader (Section 7, Legal Practitioners Act, 1879)	525
64	Order of permission to pleader to practise independently.	532

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67	Certificate of renewal of licence of pleader, second grade	535
68	Petition Writer's licence	591
69	Notice prohibiting the practice of soliciting, giving or receiving gratifications	627

APPENDIX B.—(Continued).
 (2) Specimens of forms prescribed by the General Rules (Civil), 1952.
 FORM No. 1.
 (Rule 13)
 Cause List

Date..... Month..... Year.....		Cause List			Remarks.
Serial No.	Number and description of case	Names of parties	Names of Parties' lawyers	Purpose	
1	2	3	4	5	

FORM No. 2.
 (Rule 27)

Receipt Slip.

Name and address of petitioner	Abstract of petition with names of parties	Court in which filed	Date fixed for hearing or abstract of order passed	Date of receipt and signature of official receiving petition
1	2	3	4	5

NOTE:—First three columns to be filled in by petitioner.

FORM No. 3
(Rule 36)
List of documents required to be produced under Order VII, Rule 14 and Order XIII, Rule 1.
In the Court of..... Suit Number.....

Serial No.	Description of documents and parties to the documents.	Date of the document.	Signature of the party or pleader with date.	Whether admitted in evidence or rejected with date.	Exhibit mark, if admitted in evidence.	Acknowledgment of party, if rejected and returned.	Remarks
1	2	3	4	5	6	7	8

FORM No. 4.
(Rule 36)
General Index.

Original Suit Case of 19.....
.....Versus.....
Record Part.....

Part A, B, C or D.	Serial number of paper.	Description of paper.	Court fees.		Date of admission of paper to record	State of document	Remarks
			Number of stamps	Value			
1	2	3	4	5	6	7	8
							9

Form No. 4 A.
Rule 138
Part-wise Index.

Original suit.....of.....19.....
case

.....V/s.....

*Serial Number in Part.	Serial Number in General Index.	Brief description of paper.	Number of sheets	Remarks.
-------------------------------	---	-----------------------------------	------------------------	----------

Note:- *This Serial number in part-wise Index is to indicate the order in which papers are placed in the file. It is not to be endorsed on the paper. Only the serial number in the General Index is to be so endorsed.

FORM No. 5
(Rule 105)

Notice to head of office etc. when summons to a public Officer is sent direct for making necessary relieving arrangements.

In the Court of

.....at.....
.....Versus.....

Case No.....of.....
To

Sir,

I have to inform you that a summons has been issued direct to ..
for his attendance in this Court on the.....
day of.....

This information is sent to you in order that arrangements may be made for the performance of the duties of the said.....
.....during his absence.

Yours faithfully,

Designation.....

FORM No. 6.
(Rule 106)

Letter forwarding summons for personal attendance of a public official etc., including notice for making relieving arrangements.

In the court of.....
.....at.....

..... Versus.....
 Case No..... of.....
 To

Under the provision of Order V, rule 27 (or 28), of the Code of Civil Procedure, 1908, a summons in duplicate is herewith forwarded for service on the defendant
who is stated to be serving under you. You are requested to cause a copy of the said summons to be served upon the said defendant and to return the original to this Court signed by the said defendant, with a statement of service endorsed thereon by you.

As the defendant has been ordered under Order V, rule 3 to appear in person on the day specified in the summons, this letter should be regarded by you also as notice to make arrangements for the performance of the duties of the said defendant during his absence.

Signature.....

Designation.....

FORM No. 7.

(Rule 109)

Notice to Head of Department etc., of warrant of arrest against Government Servant etc.

In the Court of.....

..... at

..... Versus.....

Case No..... of.....

under section

To

Sir,

I have to inform you that a warrant for the arrest of.....
who is stated to be serving under you is being issued by this Court.

Yours faithfully,

Presiding Officer.

FORM No. 8.

(Rule 129)

Title Page or Wrapper.

1. Name of Court.
2. Kind of case.
3. Title of case.
4. Number and year of case.

5. Date of institution.
6. Date of disposal.
7. Date of consignment to Record Room.
8. Date of decision in appeal or revision.
9. Kind of file or part.
10. Class of record.
11. (a) Date on which Part D is due to be destroyed.
(b) Date on which Part D was destroyed.
12. (a) Date on which Part C is due to be destroyed.
(b) Date on which Part C was destroyed.
13. (a) Date on which Part B is due to be destroyed.
(b) Date on which Part B was destroyed.
14. (a) Date on which Part A is due to be destroyed.
(b) Date on which Part A was destroyed.

FORM No. 9.

(Rule 133)

Order Sheet

Original Suit

No.

of 19.....

Case

.....Vs.....

Record, Part.....

Date of Order	Order with initials of Presiding Judge.	Brief note of compli- ance of the order.
1	2	3

(Rule 156)

List of Records Transmitted to the Record room.

List of.....* cases disposed of in the Court of.....
in the month of..... 19.....

[illegible]

NOTE—*Write here, 'Original Suits', 'Execution cases', 'Miscellaneous judicial cases not relating to other cases', 'Regular appeals' etc. as the case may be.

FORM No. 12

(Rule 162)

Record-keeper's report when a Record is found to be defective.

Name of Court.....

Number and year of the case

Kind of case.....

Title.....

Versus

Date of decision.....

1. Papers Nosdo not correspond with those entered in the General Index.
2. Paper No.....is not on the file.
3. The document No.....bears blots, erasures or interlineations other than those noted in column 8 of the General Index.
4. Paper No.....does not bear the stamp entered in column 6 of the General Index.
5. Stamp affixed on paper No.....has not been duly cancelled.
6. On paper No.... the number and aggregate value of the Stamps on it have not been recorded.
7. Rules made by the Government for regulating the number of stamps to be used for denoting fees have not been complied with in respect of paper No.....
8. There is some thing suspicious in the appearance of the stamps on paper No
9. Order datedon paper Nohas not been duly signed.
10. That the receipt for.....is not in the record.
11. There is no court seal on paper No.....
12. Paper No.is on the file but it has not been entered in the General Index.
13. Paper Noshould have been stitched to.....instead of having been stitched to.....
14. Aggregate value of the court fees entered in the certificate by the Munsarim or Reader is wrong.
15. The certificate does not bear the signature of the Munsarim or Reader.
16. In the order sheet there is no order for having the decree prepared and signed.
17. In the order sheet order or orders dated.....have not been signed by the Presiding Officer or the Munsarim.

18. The documents which do not form part of the record under Rule 140 of the General Rules (Civil); 1952, have not been kept properly in an envelope.
19. Paper No.....is on the file without any orders thereon.
20. There is no endorsement on the document admitted in evidence or rejected or inadmissible in evidence as required under order XIII, rules 4 and 6.
- 21.
- 22.
- 23.
- 24.

Record-Keeper.....

Ordered that the above report together with the record of the case be returned to the Court of..... for removing defects stated above and explanation be called from the Munsarim or Reader who had recorded the certificate under Rule 141 of the General Rules (Civil), 1952.

Dated the.....day of19 .

Signature.....

Designation.....

FORM No. 13.
(Rule-169)

List of Registers, Books and Papers transmitted to Record-Room by the Court of.....in the year 19.....

Serial Number.	Description of register, book or paper.	Order by which prescribed.	Period of retention in record-room.	Year to which books or papers relate.	Number of books or paper.	Date of receipt in Record office.	Date of Destruction.
1.	2	3	4	5	6	7	8

FORM No. 14.

(Rule 175)

Notice to take back documents.

In the Court of.....

Suit
Case No..... of

.....planitiff,
.....defendant.

The parties in this case are hereby required to take back the documents produced by them, being exhibits in the case, before the last day of.....

MarchJune

.....September 19
December

If they fail to take them back before that date, the documents will be destroyed as prescribed by the High Court.

Dated.....

Presiding Officer of the Court.

NOTE—This notice should be served upon the pleaders and parties concerned at their last known address and should be issued in sufficient time to allow of the destruction of the exhibits within the time laid down in the Rules.

FORM No. 15.

(Rules 155 and 177).

Requisition for Record.

Court of the.....at

.....Vs.....

Case No.....of.....

To

Dated.....the.....19...

Kindly transmit to this Court the record (s) specified below. I have satisfied myself that the production of the original record is actually necessary.* The record (s) should reach this Court before.....

.....19....., the next date of hearing.

Particulars of record sent for

of what Court	Kind of case	No. & year	Title	Date of disposal	Remarks.
1	2	3	4	5	6

Designation.....

*Note—Original records should not be called at the instance of a private party, if certified copies are admissible in evidence to prove facts, for the proof of which the record is required.

FORM No. 16.

(Rule 182)

Form for transmission of record.

From

.....

.....

To

.....

.....

Dated.....the.....19

Your requisition letter No. dated
 in..... case No. of
 in your court. V.....
 was received here on....., The
 following record (s) as desired is are herewith forwarded. Kindly
 acknowledge receipt of the record (s) on the duplicate of this letter
 attached hereto. The original record (s) may please be returned
 without delay after it is done with.
they are

S. No.	Particulars of records sent.					Remarks
	Of what Court	No. & year	Kind of case	Title	Date of disposal	
1	2	3	4	5	6	7

.....

Designation

Acknowledgment of receipt of records.

The cord (s) detailed above was (were) received in this Court
 on and has/have been entered in the Register of
 Records received under number.....and date.....

.....

Designation.....

Dated.....19 .

Date of receipt of record (s)	Date of return of record (s)	Remarks.
1	2	3

No.....

Dated19.....

From

.....

To

.....

.....

.....

The record (s) detailed on the reverse is/are returned herewith.
Kindly acknowledge receipt.

Designation.....

Acknowledgment of receipt of records.

No.....

Dated.....

The record (s) detailed on the reverse has/have been received
in this Court (Record Room).

Designation.....

FORM No. 17.

(Rule 203)

Application for Inspection of record.

In the Court of

I beg to apply for permission to inspect the record of the case
mentioned below:—

I am*.....
in the case.

%

Particulars of the record of which Inspection is sought.

1. Of what Court.

2. Kind of case.

3. Number and year.

4. Names of parties.

5. Date of decision (or hearing if pending).

Signature.....

FORM No. 18.

(Rule 213)

Application for a copy record.

In the Court of.....

In Case No.....
of..... V.....

Note.—*Here enter whether applicant is the plaintiff, defendant etc. or the plaintiffs/
defendants agent or counsel, as the case may be—of (if the applicant is not
a party—or his agent or counsel) that he is not a party to the case.

% If the applicant is not a party or his agent or counsel, the reasons for
which he wants an inspection should be stated here.

Decided

.....On.....

Fixed for hearing

Kindly grant me certified $\frac{\text{copies}}{\text{copy}}$ of the papers named in the following list from the record of the above mentioned case for which I tender herewith copying sheets of the value of Rs.....annas.....

The application is*.....

% I am.....in the case.

List.

Serial No.	Description of paper of which copy required.	Number of copies required	Object for which copy is required or ground upon which application should be granted.
1	2	3	4

Signature of applicant.

Note—*Here state whether the application is 'urgent' or 'ordinary'.

% Here state the applicant's status in the case. If he is not a party to the case, state so.

In every application sent by post, the following particulars should be noted—

1. Full address of the applicant.
2. Whether the applicant wants the copy to be sent to him by post.

Sufficient stamps should be sent if the copy is to be sent by post.

FORM No. 19.

(Rule 225)

Notice to applicant to make-up deficiency of copying fees.

In the Court of

Notice is hereby given that the value of the copying sheets filed with the application in the following cases is less than the copying fees leviable, and thus, if in any case, the deficiency is not made up by filing additional copying sheets by the day of 19, the copying application shall be rejected.

Serial Number	Date of Application	Serial Number of application	Name of Applicant.	No. and title of case from which copy required.	Value of additional copying sheets required.	Remarks.
1	2	3	4	5	6	7

Signature.....

Designation.....

Date.....

FORM No. 20.

(Rule 226)

Estimate of charges for a copy of book, register, map or plan or any extract thereof.

Serial number of application.	1	Date of application.	2	Name of applicant.	3	Number and year of case.	4	Kind of Case.	5.	Names of parties.	6	Description of book, register, map or plan or any extract thereof to be copied.	7	Amount of estimate sanctioned.	8	Signature of the Judge.	9	Remarks.	10
-------------------------------	---	----------------------	---	--------------------	---	--------------------------	---	---------------	----	-------------------	---	---	---	--------------------------------	---	-------------------------	---	----------	----

FORM No. 21
(Rule 255)

Tender

ORIGINAL TENDER

In the Court of

Instructions. } Fill up accurately columns
to applicant } 1 to 4.

1. Name of party on.....
whose behalf the.....
money is tendered.....
2. Names of parties.....
and number of.....
the suit.....
3. Nature of payment.....
4. Amount tendered.....
5. Office report.....

Signature of.....
actual payer.

Stamp

Dated.....
Receipt acknowledged in Register No.
Court No. General No. , dated

Signature of Receiving Officer

N. B.—To be filed with the record.

Signature of Munsarim.

DUPLICATE TENDER

In the Court of

Instructions. } Fill up accurately columns
to applicant } 1 to 4.

1. Name of party on.....
whose behalf the.....
money is tendered.....
2. Names of parties.....
and number of.....
the suit.....
3. Nature of payment.....
4. Amount tendered.....

Signature of.....
actual payer.

To the Treasury Officer,
Receiving

Receive and credit the above sum if
tendered to you within three days.
Dated

Signature of Presiding Judge.
Received the sum of Rs.

Signature of Treasury Officer,
Receiving

N. B.—To be given to the payer.

TRIPLICATE TENDER

In the Court of

Instructions } Fill up accurately columns
to applicant } 1 to 4.

1. Name of party on.....
whose behalf the.....
money is tendered.....
- 2- Names of parties.....
and number of.....
the suit.....
3. Nature of payment.....
4. Amount tendered.....

Signature of.....
actual payer.

To the Treasury Officer,
Receiving

Receive and credit the sum if tendered
to you within three days.
Dated

Signature of Presiding Judge.
Received the sum of Rs.

Signature of Treasury Officer,
Receiving

N. B.—To be retained in the Treasury.

FORM No. 22.
(Rule 263)

Advice list of Receipts and Repayments of Deposits made at the Treasury of.....on the.....
day of... ..19 .

Court issuing order for receipt	Date of Order	Number of suit	Amount received	Court issuing order for repayment	Number of order	Date of order	Amount repaid	Remarks.
1	2	3	4	5	6	7	8	9
			Rs. | a. | p. |				Rs. a. p. |	

FORM No. 23.
(Rule 266)

List of the unexpended balances of money deposited in the under-mentioned cases which are due and have become repayable.

Reference to Deposit	By whom deposited		Amount deposited	Amount disbursed	Balance due and repayable	Date of Notice	Signature of receiving Officer.	Remarks.
	Number and page of register	Case						
1	2	3	4	5	6	7	8	9
			Rs. | a. | p. |	Rs. | a. | p. |	Rs. | a. | p. |	Rs. | a. | p. |		10

FORM No. 24

(Rule 267)

Application for Repayment of deposit in the court of

(Instruction to applicant: Fill up correctly columns 1 to 4, leaving the other columns blank).

Name of applicant	Name of parties and number of suit.	Nature of repayment applied for	Amount	D E P O S I T		Is applicant entitled to the amount claimed ?	Is amount still in deposit and available for present payment to the applicant ?	Serial number and date of repayment order.	Remarks.
				Number	Date				
1	2	3	4	5	6	7	8	9	10
			Rs. a. p.						

FORM No. 25.

(Rule 273)

Repayment order.

Court of the... ..at... ..
 Serial Number. Date
 Chalan (tender) No. and No.....
 date..... ..(or, Pass Book
 No. and date.....) of the Date.....
 original deposit from which payment
 is sought.

Amount in deposit

At whose credit in deposit

To the Officer in charge of the Treasury at.....
 Please pay as above to..... ..or order

Rupees(in words)

Signature of Court's Accountant. *Signature of Judge.*

The form to consist of a counter-part of the same type as the order.

FORM No. 26.

(Rule 275)

Receipt For Repayment Order Book.

On the occasion of the transfer of charge of the Office of.....

.....in compliance to
 Government/High Court Order No.... ..dated.. ..

.....Shri... ..the Officer relieved
 handed over to Shri... ..the Relieving

Officer the Repayment Order Book, containing.....forms
 in all, bearing numbers.... ..to.... ..

of which.... ..forms bearing numbers

to... ..had been used and... ..forms

bearing numbers.... ..to.... ..remained blank.

Dated the.... ..day of... ..19 ..

Officer Relieving. *Officer Relieved.*

FORM No. 27.

(Rule 279)

Treasury Officer's certificate of Non-payment of lost Repay-
 ment Order.

Certified that Repayment Order No... ..
 dated... ..for Rs... ..issued by

the Court of.... ..
 at... ..in favour of.... ..

.... ..has not been cashed at this Treasury.

Dated.... ..
Treasury Officer.

FORM No. 28.
(Rule 283)

Receipt for direct payment to parties made in Court.

Receipt for immediate Disbursement.

Copy of receipt for immediate Disbursement.

Number of suit.

Names of parties.

Receipt for Rs.

Paid by

On account of

Received by

Signature of }
Recipient

Signature of }
Identifying witness

In my presence

(To be given to the payer)

PRESIDING JUDGE.

Number of suit.

Names of parties.

Receipt for Rs.

Paid by

On account of

Received by

Signature of }
Recipient

Signature of }
Identifying witness

In my presence

(To be filed with the record).

PRESIDING JUDGE.

Stamp.

FORM No. 29.

(Rule 296)

Application for refund of Lapsed Deposit.

To

The Accountant General.....

Sir,

The following refunds of lapsed deposits aggregating Rs.
 (in words) have been claimed by
 of whose identity and title to the money I have satisfied myself.
 I request your sanction to the refund.—

Particulars of Original deposit		Balance credited to Government			Date of lapsed statement and No. of item in the list	Amount claimed			Remarks
Year	No.	Rs.	a.	p.		Rs.	a.	p.	

The

19

Presiding Judge.

Accountant General's Office No.
 Sanctioned

dated

Received payment

Accountant-General.

Date.....

Receipt Stamp.

Claimant

Pay rupees ()

only.

The 19

Examined.

Treasury Officer.

Accountant.

Reverse.

NOTE:—The signature of the claimant should be obtained on this form and the form should be returned as a voucher in support of the debit.

FORM No. 30
[Rule 297 (2)]

Report of sale effected by the Collector of.....on the.....day of
19 .., in pursuance of the order of the .. of ..
dated the .. day of .. 19 ..

Number of execution case.	Names of parties.	Name of judgment-debtor whose property has been sold.	Number of lot.	Description of property comprised in lot.	Extent of interest sold as the property of judgment-debtor.	Encumbrances or other matters notified at the sale.	Name of person declared to be the purchaser.	Amount of purchase money.	Amount of deposit under Order XXI, rule 84.	Amount deducted by way of poundage.	Balance held in deposit.	Date on which balance was credited in Civil Court Deposit Account of Treasury.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Note:—If the full amount of purchase money be paid on the day of sale, it will be entered in column 10.

Collectorate:

The day of

Treasury Officer.

Collector.

FORM No. 32.

(Rule 404)

Form of engagement of Curator.

I, A B. having been appointed by the Judge of the District of....., under the provisions of Act No. XXXIX of 1925, to take temporary possession of the property of the late C. D., do hereby solemnly promise and engage diligently and faithfully to discharge the trust committed to me, and to act in every respect according to the instructions given me, and to the best of my judgment for the interest of the proprietors. I also promise to obey all orders of the Judge regarding the institution or the defence of suits concerning or connected with the property committed to my charge. I further promise and engage to give acquittances for all sums of money collected by me, as debts or rents on account of the estate of C D. and to render a true and just account of whatever may be received by me on account of the said estate, filing at the earliest practicable period an inventory of the property received by me and also monthly in the Judge's office accounts in abstract, and at the end of every three months and on giving up possession of the property, accounts in detail of my administration of the said property. I further promise and engage to adhere strictly to the laws passed for the guidance of curators and to such orders as I may receive from the Judge, and to derive no personal advantage whatever, directly or indirectly from the trust committed to me beyond the allowance granted to me as stated in my sanad of appointment.

A.B.

FORM No. 33.

(Rule 404)

Form of Security Bond.

Whereas A. B. has been appointed by the Judge of the District of... .., under the provisions of Act No. XXXIX of 1925, to take possession of the property of C. D. deceased, I. E.F., do hereby engage and bind myself to the said Judge and his successors in office to stand security, and to be answerable for the faithful discharge of his trust by the said A. B. agreeable to the terms of his sanad of appointment a copy of which has been duly delivered to me. I also bind myself, my heirs and successors, to the said Judge and his successors in office not to sell, give or otherwise transfer or dispose of the property mentioned in the annexed schedule, which I hereby pledge for the purposes of this engagement, until the conditions thereof have been completely fulfilled.

E. F.

SCHEDULE OF PROPERTY.

(To follow here)

FORM No. 34.

(Rule 404)

Form of Sanad.

SANAD TO A. B.

Whereas you, A.B., have been appointed, under the provisions of Act XXXIX of 1925, to take temporary possession of the property of the late C D., you shall diligently and faithfully discharge the trust committed to you, and act in every respect according to the instructions given you, and to the best of your judgment for the interests of the properties: You shall obey all orders of the Judge regarding the institution or the defence of suits concerning or connected with the property committed to your charge. You shall further receive payments of debts and rents due to the estate of the said C. D. until otherwise ordered, such power of collecting debts to cease on the granting of a certificate or of probate or letters of administration to the estate of the said C. D., and you shall give acquittance for all sums of money collected by you, as debts or rents, on account of the estate of the said C. D., and you shall render a true and just account of whatever may be received by you on account of the said estate, filing at as early a period as practicable an inventory of the property received by you, and also monthly in the Judge's office accounts in abstract, and at the end of every three months and on giving up possession of the property, accounts in detail of your administration of the said property. You shall further adhere strictly to the laws passed for the guidance of Curators and to such orders as you may receive from the Judge, and you shall derive no personal advantage whatever, directly or indirectly from the trust committed to you beyond the allowance hereby granted to you of percent on the personal property and on the annual profits of the real property placed under your charge; and you shall exercise the power of Curator under this Sanad until the determination of the summary suit now pending respecting the right of possession of the said property, or until otherwise ordered by this Court.

SCHEDULE OF PROPERTY PLACED UNDER CURATOR.

(To follow here).

FORM No. 35.

(Rule 404)

Form of Citation under Section 283

In the court of.....at.....
Testamentary and Intestate Jurisdiction:
Petition for.....
.....deceased.
Petitioner.....
.....

All persons claiming to have any interest in the estate of the above named deceased are hereby cited to come and see the proceedings, if they think fit before the grant of.....

Dated the.....day of.....19 ..

SEAL

Signature
Designation.

FORM No. 36.

(Rule 406)

Administration Bond.

The following form of Administration Bond may be used under section 291 of Act No. XXXIX of 1925 with necessary changes in case of probate:—

We, A. B. of....., C. D. of.....
and E. F. of....., are bound unto G. H. Esqr., the Judge of the District Court of....., and to his successors in office in the sum of rupees (double the amount of the assets likely to come to the administrator's hands) to be paid to the said G. H. or the Judge of the said Court for the time being, for which payment we bind ourselves and each of us and any two of us and the heirs, executors, and administrators of us and of each of us and of any two of us jointly, severally and respectively.

Dated. day of.....19 ..

The engagement of this Bond is such that if the above named A. B., the person appointed by the above named G. H. Esqr., under the Indian Succession Act No. XXXIX of 1925, to be the administrator of the estate of I. K. late of .. deceased, who died on the day of.....19 , do make a true inventory of all the estate of the said deceased which has or shall come to his possession, power or knowledge, and do exhibit the same into the said court on or before the day of....., 19 , and the same estate and all the other estate of the said deceased at the time of his death which at any time after shall come into the possession or power of the said A. B., do administer according to law (that is say) do pay the debts which he owed at his decease, and further do render a true account of his said administration whenever by law required so to do, and all the residue of the said estate, do pay into such person or persons as shall be entitled thereto under the said Act; and if it shall hereafter appear that any last will was made by the said deceased and the executor or executors or other persons therein named do exhibit the same in the said Court, if the said A. B., being thereunto required, do render and deliver the said letters of administration (approbation of such will being first had and made in the said Court) then this obligation to be void or else to remain in full force.

A. B.

C. D.

E. F.

Signed by the said A. B, C. D. and E. F. in the presence of—

FORM No. 37.

(Rule 408)

Inventory to be furnished by an Executor or Administrator.
 To be filed within six months from grant of Probate or Letters of Administration.

Property in possession of executor or administrator.																				
Immovable property.										Movable property		C R E D I T S .			D E B I T S .			Property bequeathed by will of deceased.		Remarks
Description		Government revenue payable (if any)	Recorded rental (if any)	Estimated market value.	Description.	Estimated value.	Amount due to estates.	From whom due.	Nature of security.	Amount due.	To whom due by estate.	On what account	Amount or value.	To whom bequeathed.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15						

FORM No. 38.

(Rule 408)

Account to be furnished by an Executor or Administrator.
 To be filed within the year from grant of Probate or Letters of administration.

A S S E T S .										APPLICATION OR DISPOSAL OF ASSETS.				Remarks.
Property in possession of executor under the Inventory Form No. 37		Credits realised out of those entered in the Inventory.					Other assets or credits recovered or realised.		Total assets which have come into the hands of executor or administrator upto date of filing the account					
1	2	3	4	5	6	7	8	9	10					
	Income from such property.				Debts paid out of those entered in the inventory.	Legacies paid out of those entered in the inventory.	Other payments made.	Total payment.						

FORM No. 39.

(Rule 419)

General Title of Insolvency Petition.

In the Court of

Insolvency petition

No.

of 19

In the matter of

Ex-parte (here insert "the debtor" or A. B. or "creditor" or "the official receiver" or "the Receiver").

FORM No. 40.

(Rule 419).

Debtors Petition.

(Title)

I (a)

ordinarily residing at (or carrying on business at or "personally

(a) Insert name and address and working for gain at". or "in cus-
description of debtor. today at") in consequence of the

(b) State name of Court and parti- order of
culars of decree in respect of
which the order of detention
has been made or by which
an order of attachment has
been made against debtor's
property. (b) being unable to pay my
debts,

(c) State whether and how any of
the debts are secured.

hereby petition that I may be adjudged an insolvent. The total amount of all pecuniary claims against me is Rs. (c) as set out in detail in Schedule A annexed hereunto, which contains the names and residences of all my creditors, so far as they are known to or can be ascertained by me. The amount and particulars of all my property are set out in Schedule B annexed hereunto together with a specification of all my propetry, not consisting of money, and the place or places at which such property is to be found and I hereby declare that I am willing to place all such property at the disposal of the court save in so far as it insludes such particulars (not being my books of accounts) as are exempted by law from attachment and sale in execution of a decree.

I have not on any previous occasion filed a petition to be adjudged an insolvent, or, I set out in Schedule C particulars (d)

relating to my previous petition to be adjudged an insolvent.
petitions

(d) The particulars required—

(i) Where a petition has been dismissed, reasons for such dismissal.

(ii) Where the debtor has previously been adjudged an insolvent, concise particulars of the insolvency inluding a statement whether any previous adjudication has been annulled and if so the grounds therefor.

Verification clause as in plaints.

Signature.

FORM No. 41.

(Rule 419)

Notice to Creditors of the date of hearing of an insolvency petition.

Section 19.

(Title).

WHEREAS A.B..... has applied to this Court by a petition dated of 19 , to be declared an insolvent under the Provincial Insolvency Act, V of 1920, and your name appears in the list of creditors filed by the aforesaid debtor, this is to give you notice that the Court has fixed the day of 19 , for the hearing of the aforesaid petition and the examination of the debtor. If you desire to be represented in the matter, you should attend in person or by duly instructed pleader. The particulars of the debt alleged in the petition to be due to you are as follows:—

Judge.

FORM No. 42.

(Rule 419)

Order of Adjudication.

Section 27.

(Title).

Pursuant to a petition, dated.....
..... against (here insert name, description and address of the debtor).....
..... and on the application of (here insert "the Official Receiver" or "the debtor himself", or "A.B. of
a creditor").... and on reading....
and hearing, it is ordered that the debtor be, and the said debtor is hereby, adjudged insolvent.

Dated this.~

day of 19 .

Judge.

FORM No. 43.

(Rule 419).

Order appointing a receiver, section 56.

(Title).

Whereas pursuant to his application, dated A.B. was adjudicated an insolvent by order of this court, dated..... and it appears to the Court that the appointment of a Receiver for the property of the insolvent is necessary.

It is ordered that a receiving order be made against the insolvent and a receiving order is hereby made against the insolvent and A. B. of (or the official Receiver) is hereby constituted Receiver of the property of the said insolvent. And it is further ordered that the said Receiver (not being the official

Receiver) do give security to the extent of . and
that his remuneration be fixed at

Dated

Judge.

FORM No. 44.

(Rule 419)

Notice to creditors of the date of consideration of a composition or scheme of arrangement. Section 38 (1).

(*Title*).

Take notice that the court has fixed the day of 19 , for the consideration of a composition (or scheme of arrangement) submitted by A. B. the debtor in the above insolvency petition. No creditor who has not proved his debt before the aforesaid date will be permitted to vote on the consideration of the above matter. If you desire to be represented at the above-mentioned hearing, you should be present in person or by duly instructed pleader with your proofs.

Judge.

FORM No. 45.

(Rule 419)

FORM UNDER SECTION 38 (2)

List of creditors for use at Meeting held for consideration of Composition or Scheme.

Meeting held at		(Title) this day	of	19 .
No.	Name of all creditors whose proofs have been admitted.	Here state as to each creditor whether he voted, and if so, whether personally or by pleader.	Amount of assets.	Amount of admitted proof.
		Total		

Required number of majority....

Required value

Rs.

On the application of _____ adjudged insolvent on
 the _____ day of _____ 19 _____, and upon taking
 into consideration the report of the Official Receiver (or Receiver)
 as to the insolvent's conduct and affairs and bearing A. B. and C.D.
 creditors:—

It is ordered that the insolvent:—

- (a) be discharged forthwith; or
- (b) be discharged on the ; or
- (c) be discharged subject to the following conditions as to
 his future earnings, after acquired property and income;

After setting aside out of the insolvent's earning after acquired
 property and income, the yearly sum of Rs. for the
 support of himself and his family the insolvent shall pay the surplus,
 if any (or such portion of such surplus as the court may determine),
 of such earnings after acquired property and income to the court or
 official Receiver (or Receiver) for distribution among the creditors
 in the insolvency. An account shall, on the first day of January in
 every year, or within fourteen days thereafter, be filed in these pro-
 ceedings by the insolvent, setting forth a statement of his receipts
 from earnings, after acquired property and income during the year
 immediately preceding the said date and the surplus payable under
 this order shall be paid by the insolvent into court or the Official
 Receiver (or Receiver) within fourteen days of the filing of the
 said account.

Dated this _____ day of _____ 19 _____.

Judge.

FORM No. 50.

(Rule 419)

Notice of application by unscheduled creditor.

(Title).

To

Whereas an application has been made to this court by.....
 who claims to be a creditor of whose application
 to be declared an insolvent was filed in this court on the.....
 day of... .. 19 _____, for permission to produce evidence of the
 amount and particulars of his pecuniary claims against the insol-
 vent, and for an order directing his name to be entered in the sche-
 dule as a creditor for the debts which he may prove; this is to give
 you notice that the said application will be heard in this court on
 the _____ day of _____ 19 _____, when you should appear
 personally, or by pleader, if you desire to object to it.

Given under my hand and the seal of this court, the... ..
 day of... .. 19 _____.

Judge.

FORM No. 51.

(Rule 443)

Receipt book.

Book No.

Serial No.

No.

Serial No.

Receipt Book

Receipt Book

Received form _____

Received form _____

Reference to the demand register or other record.	Particulars.	Amount.	Reference to the demand register or other record.	Particulars.	Amount.

Date of realization

Date of realization.

 Initials of Official
Receiver or of the
Collecting agency.

 Initials of Officials
Receiver or of the
Collecting agent.

FORM No. 52.
(Rule 443)

Receipt Book (Zamindari)

Receipt for Estate of				Receipt for Estate of			
Received from tenant village				Received from tenant village			
No. in bahikhata.				No. in bahikhata.			
Book No.	Receipt No.	By whom paid.	Nature of holding.	Book No.	Receipt No.	By whom paid.	Nature of holding.
Date	On what account.	Whether partial or complete payment.	Amount.	Date	On what account.	Whether partial or complete payment.	Amount.
Signature of Hawaldar.							
Total brought forward				Total brought forward			
Progressive total.				Progressive total.			
Signature of Hawaldar.				Signature of Hawaldar.			

FORM No. 53.

(Rule 444)

Proof of debt. General form. Section 49.

(Title)

In the matter of _____ No. (a) of 19.....
 of (b) make oath and say (or solemnly and
 sincerely affirm and declare):-

I. That the said ^{was}_{were} at the date of the petition, viz.,

day of 19 _____ and still ^{is}_{are} justly and truly indebted to me in the
 sum of Rs. _____ as. p. for (c) as shown by the account endorsed
 hereon (or the following account), viz., for which sum or any part
 thereof I say that I have not, nor, hath _____ or any
 person by.....order to my knowledge or belief for.....
 use.....had, or received, any manner of satisfaction or
 security whatsoever, save and except the following (d).

Admitted to vote
 for Rs. _____

Sworn atthis.....

day ofbefore me.

Judge or Official Receiver

Deponent's Signature.

COMMISSIONER.

- (a) Here insert number given in the notice.
 (b) Address in full.
 (c) State consideration and specify the vouchers (if any) in support of
 the claim.
 (d) Here state details of securities, bills or the like.

FORM No. 54.

(Rule 445).

Proof of debt of workmen. Section 49. .

(Title)

I, (a) of (b) make oath and say (or solemnly and sincerely
 affirm and declare):-

That (c) at the date of the adjudication, viz., the.....
 day of.....19 _____, and still justly and truly indebted to the
 several persons whose names, address and discriptions appear in the
 schedule endorsed hereon in sums severally set against their names
 in the sixth column of such schedule for wages due to them respect-
 ively as workmen or others in (d) in respect of services rendered by
 them respectively to (e) during such periods before the date of the

- (a) Fill in full name, address and occupation of deponent.
 (b) The above named debtor or the foreman of the above named debtor
 or on behalf of the workmen and others employed by the above
 named debtor.
 (c) "I" or "the said"
 (d) "May employ" or "the employ of the above named debtor"
 (e) "Me" or "the above named debtor"

receiving order as are set out against their respective names in the fifth column of such schedule, for which said sums, or any part thereof, I say that they have not, nor hath any of them had or received any manner of satisfaction or security whatsoever.

Admitted to vote for

Rs.

*Judge or Official
Receiver.*

Sworn at.....

this day of.....

before me.

*Deponent's
Signature.*

COMMISSIONER

FORM No. 55.

(Rule 460).

Summary Administration Section 74

(Title)

Notice to creditors.

Take notice that on the day of 19, the above-named debtor presented a petition to this Court praying to be adjudicated an insolvent and that on the day of 19, the Court being satisfied that the property of the debtor is not likely to exceed Rs. 500/-, directed that the debtor's estate be administered in a summary manner and appointed the day of 19, for further hearing of the said petition and examination of the said debtor.

Also take notice that the court may on the aforesaid date then and there proceed to adjudication and distribution of the assests of the aforesaid debtor. It will be open to you to appear and give evidence on that date. Proof of any claim you desire to make must be lodged in court, on or before that date.

Given under my hand and the seal of this court, the day of 19 .

J U D G E.

FORM No. 58.

(Rule 500)

Amin's Payment Order

No.	No.	Date.
Date.	To the Receiving Officer of the Court of the	
Name of person to whom given .....	.....at.....	
Nature of payment to be received	On or before the.....day of.....	
Amount. Rs. p.	please receive from.....	
Date up to which the order is in force.	son of.....caste.....	
	resident of.....the sum of.....	
	being proceeds of a sale held by me.....	
	on the.....at.....	
	under the order of.....No.....	
	dated the.....	

Amin.

FORM No. 59.

(Rule 510).

Security Bond of Nazir, Civil Court Amin, process-server, Amin's peon etc when the security is given in cash, promissory notes or mortgaged and hypothecated landed property.

By this Bond I, A. B. of... ..am bound to the Rajpramukh of Rajasthan (hereinafter called " the Rajpramukh" which term shall, where the context so admits, include his successors-in-office and assigns) in the sum of Rs. , to be paid to the said Rajpramukh, for which payment to be made, I bind myself and my heirs, executors or administrators by these presents.

Signed and delivered by myself at this
..... day of 19 .

Whereas the above bounden A. B. on his appointment as... ..is required by the General Rules (Civil), 1952, to furnish adequate security for the due discharge of his duties in the said appointment.

And whereas the said A. B. in consideration of his said appointment (has delivered to and deposited with*... .. cash to the extent of Rs) or (has delivered to and deposited with and endorsed to Government securities to the extent of Rs. as set forth in the schedule hereto) or (has mortgaged and hypothecated the landed property described in the schedule hereto) or (has placed on fixed deposit in the Ltd. to the credit of the sum of Rs) for the purpose of securing and indemnifying the Rajpramukh, against all loss or damage which he or they might suffer by reason of any act, default, omission or negligence on the part of the said A. B. in the course of the discharge of his duties and obligations.

And whereas the said A. B. has entered into the above written Bond in the penal sum of Rs. conditioned for the due performance by the said A. B. of the duties of his said office and the other duties appertaining thereto or which may be lawfully required of him, and for the indemnity of the said Rajpramukh against loss from the acts or defaults of the said A. B.

Now the condition of the above written Bond is such that, if the said A. B. has, whilst he has held the office of..... , always duly performed and fulfilled the said duties of the said office and the other duties aforesaid or if the said A. B. shall indemnify the Rajpramukh from all and every loss and damage which, during the time the said A. B. has held, executed and enjoyed the said office, has happened, then the above written Bond or obligation shall

*Here detail money and/or Government currency notes.

be void and of no effect, otherwise the same shall remain in full force and virtue.

And it is hereby agreed and declared by and between the said A. B. and the Rajpramukh that, on the vacation by said A. B. of his said office of.....the above-named ('moneys' where cash is deposited) ('securities' where promissory notes are deposited) shall not be at once returned to him but shall continue to be held in the manner aforesaid for the term of six months as security against any loss that may have been incurred by the Rajpramukh owing to the neglect or default of the said A. B. and which may not have been discovered until after the vacation of his office by the said A. B. and if any breach of the conditions of the said Bond is discovered after the repayment (or return) of the said money (or securities (or release of the said mortgage) such repayment (or return) (or release) shall not affect the right of the Rajpramukh to take proceedings upon the said Bond against the said A. B.

Provided also that the officer in whose name the said sum is placed on deposit in the manner aforesaid may at the request of the said A. B. withdraw the said sum and place the same in like manner as aforesaid in the Imperial Bank of India or.....Ltd

Provided also that if the said sum or any part thereof is lost by reason of the failure or defalcation of the Bank in which such sum is at any time deposited, neither the Rajpramukh nor any officer serving under him shall be in any way liable for such loss and the said A. B. shall immediately furnish to the Rajpramukh either in cash or in such other form as may be permissible under the rules, regulations or orders then in force security equivalent in value to the amount lost in such manner as aforesaid.

Provided also that the interest on the said sum when realised may be paid over to the said A. B. under the orders of a competent authority.

In witness to the above written Bond and to all the terms and conditions hereinbefore contained, I have hereunto set my hands thisday of 19 ..

Signed by A. B. in the presence of.....
and of.....

FORM No. 60.

(Rule 511)

*Security Bond of Nazir, Civil Court Amin, Process-Server,
Amin's-Peon etc., when the Security is given by Executing
Personal Bond with Sureties.*

By the Bond we, A. B. (principal) of C. D.
(first surety) of and E. F. (Second surety) of
are jointly and severally bound to the Rajpramukh of
Rajasthan (hereinafter called "the Rajpramukh" which term shall,
where the context so admits, include his successors in office and

assigns) in the sum of Rs. _____ to be paid to the said Rajpramukh, for which payment to be made, we bind ourselves, and each of us, in the whole, our and each of our heirs, executors or administrators, jointly and severally, by these presents.

Signed and delivered by ourselves at
this _____ day of _____, 19 .

Whereas, the above bounden A. B. on his appointment as _____ is required by the General Rules (Civil), 1952, to furnish adequate security for the due discharge of his duties in the said appointment; and whereas the said A. B. and the said C. D. and E. F. as sureties of the said A. B. have entered into the above written Bond in the penal sum of Rs. conditioned for the due performance by the said A. B. of the duties of his said office and the other duties appertaining thereto, or which may be lawfully required of him, and for the indemnity of the said Rajpramukh against loss from the acts or defaults of the said A. B.

Now the condition of the above-written Bond is such that if the said A. B. has, whilst he has held the office of... .., always duly performed and fulfilled the said duties of the said office and the other duties aforesaid, or if the said A. B., C.D. and E. F., or either of them, shall, at all times hereafter, keep indemnified the said Rajpramukh against all losses and damages which during the time the said A. B. has held, executed and enjoyed the said office have happened, then the above written Bond shall be void and of no effect, otherwise the same shall remain in full force and virtue.

Provided always and it is hereby agreed and declared that neither of them, the said C. D. and E. F., shall be at liberty to terminate their surety-ship except upon given to the District Judge for the time being of... .., six calendar months' notice in writing of his or their intention so to do, and their joint and several liability under this Bond shall continue in respect of all omissions and defaults on the part of the said A. B. until the expiration of the said period of six months.

In witness to the above written Bond and to all the terms and conditions hereinbefore contained we have hereunto set our hands this _____ day of _____ 19 .

Signed by A. B. in the presence of _____ and
of.... ..

Signed by C. D. in the presence of
and of... ..

Signed by E. F. in the presence of.... ..
and of... ..

FORM No. 61.

(Rule 524)

Application for Enrolment as a Pleader.

COURT FEE STAMP

To

The Registrar,
Rajasthan High Court, Jodhpur

I beg to apply for enrolment as a pleader
.....grade.

The particulars required are stated below :--

1. Name
2. Father's name
3. Place of residence
4. Place of Business
5. Qualifications
6. Whether the applicant holds any
salaried appointment or carries on
any trade or business
7. Whether the applicant has ever
been convicted of any offence by
a Criminal Court

The required certificates as detailed below are submitted
herewith:

- (a) Diploma or certificate of qualifications.
- (b) Two testimonials of good character.

Applicant.

FORM No. 62.

(Rule 525).

High Court of Judicature for Rajasthan at Jodhpur.

Certificate of admission of pleader.

(Section 7, Legal Practitioners Act, 1879).

Pursuant to the Legal Practitioners Act, 1879, I hereby certify
that Shrison of Shri.....
.....whose chief place of business is at
.....has been admitted a pleader of the.....
..... grade and on his filing in this Court a certificate
in writing by a senior Practitioner as prescribed by rule 528 of the
General Rules (Civil), 1952, that he has read with him for six
months, has attended regularly with him in Courts and Chambers
and has worked diligently, will be authorised to appear, plead and act
in all subordinate courts and Revenue Offices in the district in
which he may enrol himself, upto the end of the current calendar year.

Given under my hand and the seal of the Court this.....
.....day of.....19.....

Registrar.

FORM No. 63.

(Rule 525)

In the High Court of Judicature for Rajasthan at Jodhpur.

Certificate of admission of Pleader.

(Section 7, Legal Practitioners Act, 1879).

Pursuant to the Legal Practitioners Act, 1879, I hereby certify that Shri.....
 son of Shri
 whose chief place of business is at
 has been admitted as a pleader of the.....grade and is
 authorised to appear, plead and act in all subordinate courts and
 Revenue Offices in the District in which he may enrol himself, upto
 the end of the current calendar year.

Given under my hand and the seal of the Court this.....
 day of....19 .

*Registrar,
 Rajasthan High Court,
 Jodhpur.*

FORM No. 64.

(Rule 532)

In the High Court of Judicature for Rajasthan at Jodhpur. .

Order of permission to Pleader to practise independently.

Register No.....

A certificate of training as required under rule 528 of the
 Rules for the admission and enrolment of Pleaders submitted by
 Shri.....son of Shri.....
 Pleader, First Grade, through District Judge.....
 dated 19 , has been accepted by the High Court and
 subject to the terms and conditions of his certificate of enrolment,
 the said Shri... .. is hereby authorised to
 practise on his own account.

Given under my hand and the seal of the Court this
day of.....19 .

*Registrar,
 Rajasthan High Court,
 Jodhpur.*

FORM No. 65.

(Rule 535)

Court of the District Judge... ..
 Register No. of 19 .

Certificate of renewal of Licence of Pleader, First Grade.

The certificate issued under the signature of the....
 on the.... ..day of....
 to Shri... ..son of Shri....
 Pleader, First Grade, having been cancelled and retained by me,
 this renewed certificate is issued authorising the said.....

to appear, plead and act in all Subordinate Courts and Revenue Offices in the District in which he may enrol himself, up to the end of the current calendar year, 19 .

Given under my hand and the seal of the Court, this.....
day of... .. 19 .

District Judge.

FORM No. 66.

(Rule 535)

Court of the District Judge... ..
 Register No. of 19 .

*Certificate of renewal of license of Pleader, First Grade,
 under training.*

The certificate issued under the signature of Registrar, Rajasthan High Court, Jodhpur, on the day of... .. 19 to Shri... .. son of Shri... .., Pleader, First Grade, having been cancelled and retained by me, this renewed certificate is issued to the said... .. and on his filing before the High Court a certificate in writing by a senior practitioner as prescribed by rule 528 of the Rules that he has read with him for six months, has attended regularly with him in Courts and Chambers and has worked diligently and on the High Court accepting that certificate and permitting him to practise on his own account, he will be authorised to appear, plead and act in all subordinate courts and Revenue offices in the District in which he may enrol himself, upto the end of the current calendar year.

Given under my hand and the seal of the Court, this.....
 day of 19 .

District Judge.

FORM No. 67.

(Rule 535)

Court of the District Judge
 Register No. of 19 .

Certificate of renewal of Licence of Pleader, Second Grade.

The Certificate issued under the signature of the... .. on the... .. day of... .. to Shri.... son of Shri.... Pleader, Second Grade, having been cancelled and retained by me, this renewed certificate is issued authorising the said... .. to appear, plead and act in the following Courts viz... .. up to the end of current calendar year, 19.....

Given under my hand and the seal of the Court, this
 day of... .. 19 .

District Judge.

FORM No. 68.

(Rule 593)

(Obverse)

Licence for petition writing.

In the court of
The petition-writer

Judge of
, son of

is hereby authorised to sit in the
compound of the Civil Courts at
and to
write petitions.

The holder of this licence is required to abide by the following rules as a condition of the licence remaining in force:—

- I. He shall regularly pay a yearly fee of Rs. 5 (in advance).
- II. He shall regularly attend the court.
- III. He shall not carry on the profession of a tout as defined in the Legal Practitioners Act, 1879 (XVIII of 1879), or accept the clerkship of a legal practitioner.
- IV. He shall not charge remuneration for writing petitions in excess of what is laid down in the scale of fees drawn up by the District Judge, a copy of which must be kept by him in public view.
- V. He shall not make any demand from any person in the name of any person or persons connected with court or accept any sum on their behalf.
- VI. He shall sign each petition or paper drawn up by him and endorse thereon the amount of fee received by him.
- VII. He shall write petitions legibly and observe the instructions relating to the writing of petitions and shall comply with the order of a court as to the amending or redrafting of a petition or other paper drawn up by him.
- VIII. He shall not keep any private copy of any petition, plaint or memorandum of appeal which he writes.
- IX. On breach of any of the above conditions, the licence shall be cancelled by the Court which granted it after giving sufficient opportunity to the petition-writer to explain his conduct.

FORM No. 68.

(Reverse)

Note of payment of Renewal fee.

Date	Amount	Voucher No. and date.	Signature of Judge.
1	2	3	4

FORM No. 69.

(Rule 627)

Public Notice.

Any peon, process-server, or other public servant employed in this court, who solicits, or receives any gratification from, or on behalf of, any suitor, will be summarily dismissed, any may also be criminally prosecuted, and any person giving such gratification renders himself liable to prosecution under the Penal Code.

Station
Dated.

Officer's Signature.
Court's Designation.

APPENDIX C.

(1) List of registers prescribed by the General Rules (Civil),
1952.

Serial No.	Description	Reference to rule.
1	Staff Attendance Register i. Ministerial staff. ii. Non-ministerial staff iii. Process Servers.	7
2	'Judges' Attendance Register	12
3	List of Legal Practitioners authorised to execute commissions.	59 (1)
4	Process Servers Diary	121
5	Register of requisitions for records	183
6	Register of applications for information	195
7	Register of records taken by Presiding Officers to their residence.	197
8	Register of Inspection of records	211
9	Register of Applications for copies	221 (iii)
10	Register of records handed over to copyists	221 (iii)
11	Register of sanctioned estimates of copying charges for maps, plans etc.	226
12	Register of applications for copies disposed of	230
13	Register of words copied by each copyist	242
14	Register of Receipts of Deposits	253
15	Register of Repayment of Deposits	253
16	Register of Petty Receipts and Repayments	253
17	Register of Applications for Repayment Orders	253
18	Register of Applications for Refund of Lapsed Deposits.	253
19	Deposit Cash-Book (subsidiary)	253
20	Register of Revenue Receipts	253
21	Register of Money Orders received	253
21A	Register of payments made	253
22	Register of Tenders	253
23	Pass-Book	253
24	Acquittance Rolls	253
25	Cash-Book (General)	253
26	Register of Contingencies	253
27	Register of Salary Bills	253
28	Register of T. A. Bills	253
29	Register of Invoices	253
30	Establishment Order-Book	301

31	Register of articles deposited with Nazir	303
32	Register of Civil suits	330
33	Register of Original suits disposed of	330
34	Register of Execution Applications	330
35	Register of Execution Applications disposed of	330
36	Register of Miscellaneous Judicial Cases not relating to other cases	330
37	Register of Returned Documents	330
38	Register showing the classification and value of suits instituted	330
39	Register of cases in which salaries of Public Officers and Railway Servants are attached	330
40	Register of Miscellaneous Cases (Judicial) relating to other cases	330
41	Register of Persons committed to Jail	330
42	Register of proceedings taken in execution of orders received from the High Court	330
43	Register of Records Requisitioned and Returned	330
44	Register of Persons Summoned and Examined	330
45	Register of Injunctions and Stay Orders	330
46	Memorandum Book of Dates for cases	331
47	Register of Appeals from Decrees	333
48	Register of Appeals from Decrees disposed of	333
49	Register of Miscellaneous Appeals	333
50	Register of Miscellaneous Appeals disposed of	333
50A	Register of Revision cases under the Gram panchayat Act	Nil
50B	Register of Revision cases under Rajasthan Relief of Agricultural Indebtedness Act, 1957	Nil
51	Insolvency Register	334
52	Register of Insolvent's estates in the hands of Receivers	334
53	Gradation List of establishment of Judgeship	335
54	Process-Register	336
55	Register of Peons (Process-servers)	336
56	Despatch Register (Local)	336
57	Despatch Register (Postal)	336
58	Register of Orders issued to Amins	337
59	Amin's Diary	338
60	Amin's Proceedings Register	338
61	Amin's Property Register	338
62	Amin's Cash Register	338
63	Register of Court-fees and Process-fees	339
64	Register of Casual leave	340
65	Confidential Register for recording minutes regarding subordinate Judicial Officers	356
66	General Register of Correspondence files	365
67	Register of letters received	367

68	Register of letters issued	....	....	368
69	File-Index	....	....	375
70	Register of General Letters and Circulars	....	....	378 (4)
71	Service Books of Officials	....	....	387 (11)
72	Character Rolls	....	....	387 (11)
73	General Register of Books	....	....	390
74	Register of periodicals received	....	....	390
75	Classified catalogue of Books	....	....	390
76	Register of Books issued from Library	....	....	394
77	Register of Accounts furnished by guardians under section 34 of the Guardians and Wards Act	....	....	417
78	Cash Book	....	....	435
79	Personal Ledger	....	....	443 (8)
80	Receiver's Register of insolvent's Movable property	....	....	443 (11)
81	Receiver's Register of Miscellaneous demands	....	....	443 (11)
82	Receiver's Register of insolvent's Immovable property	....	....	443 (12)
83	Receiver's Bahi-khata	....	....	443 (12)
84	Receiver's Register of Insolvents Book-debts	....	....	443 (15)
85	Register of Dividends	....	....	443 (16)
86	Register of suits by Receiver	....	....	443 (19)
87	Stock-Book of Non saleable printed forms	....	....	472
88	Register of non-saleable forms	....	....	472
89	Register of saleable forms	....	....	473
90	Stationery Register	....	....	476
91	Stock-Book of stationery articles	....	....	476
92	Register of securities	....	....	516
93	Register of pleaders	....	....	526
94	List of approved senior practitioners	....	....	528
95	Register of recognised pleaders' clerks	....	....	581
96	Register of Licensed Petition writers	....	....	598
97	Stock Register	....	....	631
98	Register of petitions to be maintained by licensed petition writers	....	....	596

(Rule 7)-

[illegible]

REGISTER No. 2.
Judges's Attendance Register.
(Rule 12)

Date	TIME OF ARRIVAL		TIME OF DEPARTURE		REMARKS.
	In Chambers	In Court	From Court	From Chambers	
1	2	3	4	5	6

REGISTER No. 3.
List (Register) of Legal Practitioners authorised to
execute Commissions.
[Rule 59 (1)]

Serial Number	Date of entry	Name of Legal Practitioner	Reference to number and date of District Judge's Order.	Initials	REMARKS.
1	2	3	4	5	6

REGISTER No. 4.
Process Servers Diary.
(Rule 121)

Date	Particulars of work and time spent thereon.	Signature of Nazir, (or of Patwari, Zamindar or any respectable person)	REMARKS.
1	2		4

REGISTER No. 5.
Register of requisitions for records.
(Rule 183).

Serial Number	Date of receipt of requisition	Number and date of requisition	Name of Court sending for record	Particulars of case for which required.				Particulars of record requisitioned.					Date by which record is required	Date of transmission of record	Number and date of despatch register	Date of return of record	Date of restoration of record to bundle	Remarks.
				Number and year	Title	Kind of case	Date of hearing	Of what Court	Number and year of case	Kind of case	Title	Date of disposal						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

REGISTER No. 6.
Register of Applications for Information.
(Rule 195).

Serial No.	Date of application.	Name of Applicant.	Particulars of the case about which information sought.	Particulars of the information asked for.	Date of disposal of application.	Information supplied.	Information not supplied.	Remarks.
1	2	3	4	5	6	7	8	9

REGISTER No. 7.
Register of Records taken by Presiding Officers to their Residence.
(Rule 197).

Seril No.	Kind of case.	Number and year of case.	Title of case.	Next Date of hearing.	Date when Judge took the record.	Date when Judge returned the record.	Remarks.
1	2	3	4	5	6	7	8

REGISTER No. 8.
Register of Inspection of Records
(Rule 211)

1	Serial Number.	2	Date of application.	3	Value of stamp on application.	4	Name of applicant.	5	A party or his agent.	6	A stranger.	7	Of what Court.	8	Kind of case.	9	Number & year of case.	10	Title of case.	11	Date of decision or hearing.	12	Date and hour when application received by officer in-charge of record.	13	Date and hour of receipt of record by Inspection Clerk.	14	Inspection made on.	15	Date and hour of return of record by Inspection Clerk.	16	Acknowledgment by Records Clerk.	17	Remarks.
---	----------------	---	----------------------	---	--------------------------------	---	--------------------	---	-----------------------	---	-------------	---	----------------	---	---------------	---	------------------------	----	----------------	----	------------------------------	----	---	----	---	----	---------------------	----	--	----	----------------------------------	----	----------

REGISTER No. 9
Register of Applications for copies.
(Rule 221)

Serial No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20									
Date of application	Value of Court, fee on Copying folios filed		Name of applicant		Whether		Paper or papers of which copy applied for		Kind of case	Number and year of case	Title of case		Value of Court fee on application for copy.		Date and hour when application received by the Record-Keeper or Clerk in-charge of record		Date and hour when record was received by the Head Copyist		Date and hour on which record was returned by the Head Copyist		Last date fixed for delivery of copy		Date on which notice, if any, regarding preparation of copy, posted on Notice Board		Name of Copyist		Date of delivery of copy		REMARKS.
	Ordinary	Urgent																											

REGISTER No. 10.
Register of records handed over to Copyist
(Rule 221)

Serial No.	Number and date of copying application	Date and hour on which application received by the records clerk :		Date and hour on which record sent to Head Copyist		Particulars of record sent				Acknowledgment of Head Copyist		Remarks.	
						Name of Court	Kind of case	Num-ber and year	Date of decision or hearing				
1	2	3		4		5	6	7	8	9		10	

REGISTER No. 11
Register of sanctioned estimates of copying charges for Maps, Plans etc.
(Rule 226)

Serial Number of this register	Number and date of copying application	Name of applicant	Record from which copy required		Description of map, plan etc. to be copied	Amount of sanctioned estimate		Signature of the Presiding Officer or Officer-in-Charge of the Copying Department	Remarks showing when fee realised or application dismissed
			Kind of case	Number and year					
1	2	3	4	5	6	7	8	9	10
							Rs. a. p.		

REGISTER No. 12.
Register of Applications for copies disposed of
(Rule 230)

Serial Number of disposal	Date of disposal	Date of application	Serial Number of application	Name of applicant	Period taken in preparation of copy			Amount of copying fees paid		Amount of copying fees ordinarily payable in copies issued free	Signature of applicant	Despatch number & date in case of copies sent by post	Remarks
					In ordinary application	In urgent application	Copy not prepared	Ordinary copies	Urgent copies				
1	2	3	4	5	6	7	8	9	10	11	12	13	14
								Rs. | a.	Rs. | a.	Rs. | a.			

(Rule 242)

Serial Number	Date of completion of copy	Number and date of copying application	Name of applicant	Particulars of papers copied	Number of words copied	Amount of copying fees chargeable			R e m a r k s.
						Urgent copies	Ordinary copies	Free copies	
1	2	3	4	5	6	7	8	9	10
						Rs. | a. | p.	Rs. | a. | p.	Rs. a. p.	

Register of Receipts of Deposits in the Court of..... 19.....
(Rule 253)

Details of Deposits										Details of Repayments						
Serial Number	Date of deposit	From whom received	Name of Court ordering deposit	Number and year of case	Kind of case	Title of case	Nature of deposit	Amount of deposit	INITIALS		Number and date of repayment order	Amount	Initials of Judge	Number and date of Treasury Advice list	Number and date of repayment order.	
									Initials of Munsamim	Initials of Judge						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
								Rs.(a. p.)				Rs.(a. p.)				

Continued—

[illegible]

Note.—*The entry should be sufficient to explain why the amount is deposited

REGISTER No. 15

Register of Repayments of Deposits of the Court of.....195
(Rule 253).

Details of deposits				Date of present pay- ment			Number of repayment voucher or cheque		To whom paid		Amount repaid		Initials		Treasury Advice List		Remarks.
Serial number	Date	Number as per Register of Recei. pts	Amount of balance of deposit	3	4	5	6	7	In cash	By transfer	Nazir (Accounts clerk)	Judge	Date	Item number of the cash book			
1	2	3	4	Rs.n.p.	5	6	7	8	9	Rs. n.p.	10	11	12	13	14		

REGISTER NO. 17
Register of Applications for Repayment Orders in the Court of.....19
(Rule 253)

[illegible]

(Rule 253)

REGISTER No. 21

(Rule 253)

[illegible]

REGISTER No. 21A.

Register of payments made by Postal Money Order/Bank Draft
(Rule 253).

In whose favour and on what account to which with reference to bill.	Address to which sent.	Amount payable	Commission if deducted.	Net amount paid.	Reference to entry in cash book.	Postal receipt.		Payee's acknowledgment received on.	Remarks.
						Bank Draft.	No. | Date		
2	3	4	5	6	7		8	9	10

REGISTER No. 22.

Register of Tenders (challans) for the money tendered in the Court of 19.....
(Rule 253)

Date	Serial number of tender (challan)	From whom received	Nature of receipt	Amount tendered	Amount Received			Number and date of voucher	Initials of receiving officer	Initials of Munsafim	Initials of Judge	Remarks
					Date	In Court	In Treasury					
1	2	3	4	5	6	7	8	9	10	11	12	13
Rs. l a. p.					Rs. l a. p. Rs. l a. p.							

REGISTER No. 25
Cash Book (General)
(Rule 253)

In the Court of

Month of.....

Receipts

Payments

Date	No. of receipt where necessary	Particulars	Pay .	Allowances	In repayment of permanent advance	Advance payments
				Miscellaneous	Total	Classification
					Date	Sub-vouchers Numbers
				Particulars	Pay	Allowances
				Out of permanent advance	Out of money drawn in anticipation of payments	Miscellaneous
					Total	Classification
					Date	Sub-vouchers Numbers
				Particulars	Pay	Allowances
				Out of permanent advance	Out of money drawn in anticipation of payments	Miscellaneous
					Total	Classification

REGISTER No. 26

Register of Contingent Charges of the.....District 195
(Rule 253)

1		Date																									
To whom Paid.	2	No. of	3	4	5	6	7	8	9	10	11	12	13	14	15	Description	Amount	Unusual Charges	17	18	Total of each con-tingent abstract	19	Total of each month's bill	20	Date of detailed bill	21	Date of admission with initials.

Court of.....

No.	Date	Brief Particulars	Gross Bill	Passed in Audit	Undisbursed Pay refunded.				Remarks.
					Amount.	Bill		Date	
						No.			
1	2	3	4	5	6	7	8	9	
(Rs. 1 a. p.)									

Court of
Budget Allotment

No.	Date	Brief Particulars	Amount claimed	Amount passed in Audit	Balance of allotment	Remarks.
1	2	3	4	5	6	7
Rs. | a. | p. | Rs. a. p. |						

REGISTER No. 29.
Register of Invoices.
(Rule 253)

Court of.....

Serial No.	Date of receipt		Invoice		From whom received		Ledger Folio	Amount	Date of return		Adjustment Advice		Cash Payment			Ledger folio	Remarks
	No.	Date	No.	Date	No.	Date			No.	Date	No.	Date	Cash book voucher	Date	Amount		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Rs. | a. | p. |																	
Rs. a. p. |																	

REGISTER No. 30.
Establishment Order Book.
(Rule 301)

Serial Number.	Name of Post	Sanctioned scale of pay.	Name of outgoing incumbent and his pay.	Nature of Vacancy.	Period of Vacancy.	Orders passed by District Judge.			Salary.	Date when last incumbent relieved.	Date when new incumbent took over.	Remarks.
						Name of person appointed.	Period for which appointed.	Period for which appointed.				
1	2	3	4	5	6	7	8	9	10	11	12	13

REGISTER No. 32
Register of Civil Suits
(Rule 330)

[illegible]

REMARKS.

Here note particulars of order

under:—

0. IX, r. 4.

IX. r. 9.

IX. r. 13.

0 XII. r. 9. and

XIII. 23 and any order or view

other similar order with reference to any other register in which the suit may be entered.

26

Execution		Return of Execution					Appeal, if any, against order in execution, and, if so, the result	Here note particulars of order under:— O. IX, r. 4. O. IX, r. 9. O. IX, r. 13. O. XII, r. 9. and O. XII, r. 23 and any order of view other similar order with reference to any other register in which the suit may be entered.	
Number and date of application	Date of Order	Against whom	For what, and amount, if any	Amount of costs	Amount paid into court	Arrested			Minute of other return than payment or arrest, and date of every return
17	18	19	20	21	22	23	24	25	26

1. All suits when instituted in a Court shall, in the Register of that Court, receive a serial number of the year of institution, and such serial number shall, in all subsequent entries relating to such suit, continue to be the serial number of the suit; as for instance a suit No. 10 of 1890, is remanded under O. XLI, r. 23 of Act No. V of 1908, on the 1st of August, 1891. On the receipt of such order of remand, the suit shall be entered in the register of the then current year as No. 10 of 1890. In such case a note of reference shall be made against the original entry in the register in which the suit first appeared. The presiding Judge of the Court shall appoint the officer of the Court whose duty it shall be to fill up the columns of this form.
2. The entry in column 6 should, besides the date of cause of action, show the nature of the suit such as a suit on bond, pay ment demanded and refused, or for possession of land, sought and denied, etc. etc.
3. A plaint in a suit where a minor is impleaded as a defendant shall be entered at once in this register if the plaint is found to be in order.

REGISTER No. 33
Register of Civil Suits disposed of
(Rule 380)

Serial Number.		Date.		Number of suit and names of parties.		Value.		Date of institution.		Number.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		Aggregate number of days suits remained pending.		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The entries in this register shall be totalled monthly, quarterly and annually.

Column 14:—Suits compromised after full trial must also be shown in this column.

REGISTER No. 34
Register of Execution Applications
(Rule 330)

Date of application	Number of application in this register	Serial number and year of institution of suits.	Names of parties to the application	Date of decree or order	Name of Court which passed the decree	Date of last preceding application, if any, for execution	Amount, property, or other relief sought to be obtained by execution	Cost incurred after institution of application not in Column 8	Amount property, or other relief obtained by execution	Amount, property, or other relief not obtained by execution	Date of disposal	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13

Applications under section 39 of Act No. V of 1908, though not themselves applications for execution shall also be entered in this register but in red ink so that they may not be included in the totals of applications for execution.

Copies of decrees and orders received under Order XXI, rule 6, shall be entered in red ink.

An entry shall be made in the register of every oral application made under Order XXI, rule 11.

Precepts under section 46 of Act No. V of 1908 shall be treated like applications under section 39 by the Court issuing them and like applications for execution by the Court receiving them for necessary action.

REGISTER No. 35.

Register of Executions Applications Disposed of.

(Rule 33C)

Serial number of disposal	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Date of disposal																		
Number of application and names of parties (see columns 2 and 4 of Register No. 34)																		
Whether decree or order was transferred	Whether decree or order another court under Section 39																	
	Whether the application was wholly infunctious																	
Amount realized	Whether satisfaction was obtained in full																	
	Whether satisfaction was obtained in Part																	
	Whether satisfaction was obtained through the court																	
	Whether adjustment was made under Order XXI, rule 2																	
	Whether satisfaction was obtained with the issue of process																	
	Whether satisfaction was obtained without the issue of process																	
	With the issue of process																	
	Without the issue of process																	
	Whether the judgment-debtor was imprisoned																	
	Whether the judgment-debtor was arrested under section 55 but released without imprisonment																	
	Whether the judgment-debtor's salary was ordered to be withheld under Order XXI, rule 48																	
	Was sold																	
Whether the judgment-debtor's other movable property—	Was attached, but subsequently released under Order XXI, rule 55																	

REGISTER No. 35—(Contd.)

19	20	21	22	23	24	25	26	27	28	29	30	31	32
Was sold	Whether the judgment debtor's other immovable property—		Whether specific performance was enforced		Whether partition was effected—section 54		Whether execution was effected—otherwise than in preceding columns, and if so, how		Proclamations, if any, published in Gazette and newspapers under Order XXI, rule 67		Cost of maintenance and custody while under attachment of livestock and other movable property		Remarks.
	Was dealt with under Order XXI rule 83	Was attached, but subsequently released under Order XXI rule 55	Whether specific performance was enforced	Of movables—Order XXI, rule 31	Of immovables—Order XXI, rule 35 and 36	Whether partition was effected—section 54	Whether execution was effected—otherwise than in preceding columns, and if so, how	Number	Costs	For services of labour	Other costs	Number of papers on the record	

In this register the entries shall be totalled monthly, quarterly and annually. Adjustments certified under Order XXI, Rule 2 of Act No. V, 1908, shall be entered in column 10 of this register when there has been an application for execution under Order XXI, rule 10, but not otherwise.

Applications on which salaries of public officers and railway servants have been ordered to be withheld under Order XXI, rule 48 are not disposed of and therefore should not be entered in this register until the order has been withdrawn. Note.—In columns 11, 12, 13 and 14 the word "process" means any process of a Civil Court—as order of attachment, for instance, as well as warrant of arrest.

REGISTER No. 36. (Contd.)

By transfer		APPEAL		Appeal from Appellate decree		Execution				Return of Execution.		REMARKS	(Here note particulars of order under order IX, rule 4, order IX, rule 9, order IX, rule 13, order XXII, rule, 9 and order XLI, rule 23, and any order of review or other similar order with reference to any other register in which the suit may be entered.)	37
Aggregate number of days suits remained pending.	Number and date of appeal.	Date and purport of judgment in appeal.	Number and date of appeal	Date and purport of judgment in appeal.	Number and date of application.	date of order.	Against whom.	For what, and amount, if any	Amount of costs.	Amount paid into court.	Arrested.				Minute of other return than payment or arrest and date of every return.
23	24	25	26	27	28	29	30	31	32	33	34	35	36	
Number.	Aggregate number of days suits remained pending.	Number and date of appeal.	Date and purport of judgment in appeal.	Number and date of appeal	Date and purport of judgment in appeal.	Number and date of application.	date of order.	Against whom.	For what, and amount, if any	Amount of costs.	Amount paid into court.	Arrested.	Minute of other return than payment or arrest and date of every return.	

Note:—This form shall be used for the following proceedings, when these do not relate to or arise out of suits or other cases:—

- (1) Orders rejecting or returning plaints or memoranda of appeal which have not been entered in the Register of suits or of appeals.
- (2) Miscellaneous criminal proceedings under sections 195, 476, 478, and 480 of Act No. V of 1898 when not arising out of suits or other cases.
- (3) Commissions under Order XXVI, rule 4 of Act No. V of 1908 for the examination of witnesses, received from other courts and executed by the Court.
- (4) Applications under order XXX, rule 1, and order XLV, rule 1 for permissions to sue or appeal as a pauper, when rejected.
- (5) Uncontested applications for probates and letters of administration under Act No. XXXIX of 1925, and applications for the revocation of such probates or letters.
- (6) Cases under Section 14 of Act No. XVIII of 1879.
- (7) Applications under Section 83 of Act No. IV of 1882.
- (8) Applications under Act No. VIII of 1890.
- (9) Cases, not being suits or proceedings in suits under the Land Acquisitions Act.
- (10) All other judicial proceedings in Civil Courts not relating to or arising out of suits, appeals or the execution of a decree or order passed in a suit or appeal. This form shall be used for the above cases and for no other cases, and shall be maintained, *mutatis mutandis* in the same manner as the Register of Civil suits.

REGISTER No. 37.
Register of Returned Documents.
(Rule 330.)

Serial Number	Name of Court in which document filed	Number and year of Case	Kind of Case	Names of parties	Description of document with date	Names of parties to or named in the document	Date when document filed	Date of order for return	Date of actual return	Signature of officer ordering return	Name of party to whom document returned	Signature of the person receiving the document	Signature of witness before whom document returned and who identified the recipient	Signature of official making return	Whether certified copy of document was substituted for original under Order XIII, rule 9.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

REGISTER No. 38.
Register showing the classification and value of suits instituted.
(Rule 330.)

Serial number	Date of institution	Plaintiff	Defendant	Value	Value not exceeding Rs. 10/-	Value not exceeding Rs. 50/-	Value not exceeding Rs. 100/-	Value not exceeding Rs. 500/-	Value not exceeding Rs. 1000/-	Value not exceeding Rs. 5,000/-	Value not exceeding Rs. 10,000/-	Title and other suits	Suits for money or movables	Title and other suits	Suits for money or movables	Title and other suits	Suits for money or movables	Title and other suits	Suits for money or movables	Title and other suits	Suits for money or movables
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19			

REGISTER No 40

[illegible]

... miscellaneous cases. Judicial.

Descriptive list of miscellaneous cases, Judicial.—

1. Orders rejecting or retreating plaintiffs' applications under section 22 and 24 of Act No. V of 1908 to transfer an appeal, section 24.
2. Applications under sections 22 and 24 of Act No. V of 1908 to transfer an appeal, section 24.
3. Application to an appellate court to withdraw or transfer an appeal, section 24.
4. Applications under order IX, rule 4, order IX, rule 9, order IX, rule 13, order XLI, rule 19 and order XLI rule 21, for the restoration to the file of a suit or appeal dismissed on default or decreed *ex parte*.
5. Miscellaneous criminal proceedings under order XVI, rules 12 and 17 of Act No. V of 1908 and sections 195, 476, 478 and 480 of Act No. V of 1898.
6. Cases under section 47 and order XXI, rule 16 of Act No. V of 1908.
7. Inquiries under order XXI, rule 2, on application of judgment-debtor as to payment to decree-holder.
8. Claims to and objections to, the attachment of attached property under order XXI, rules 58, and order XXXVIII, rule 8.
9. Applications under order XXI, rule 66, by lien-holders to notify their encumbrances not ascertainable through the Registrar and Collector's offices.

REGISTER No. 40. (*Contd.*)

Compromised	After full trial			On reference to arbitration		By transfer		Appeal			Remarks.	
	Judgment for plaintiff	Judgment for defendant	Aggregate number of days suits remained pending	Number	Aggregate number of days suits remained pending	Number	Aggregate number of days suits remained pending	Date of institution	Date of disposal	Judgment		
17	18	19	20	21	22	23	24	25	26	27	28	29

10. Proceedings under order XXI, rule 72.

11. Applications under order XXI, rules 90-93.

12. Applications for delivery of possession under order XXI, rules 95 and 98.

13. References by collectors under schedule 3, paragraph 5.

14. Complaints under order XXI, rule 97. by decree-holder or purchaser of resistance to possession being given.

15. Applications under order XXI, rule 100.

16. Commissions under order XXVI, rule 4, for the examination of witnesses received from other courts and executed by the court.

17. Applications under order XXXIII, rule 2, for permission to sue in *forma pauperis*.

18. Applications for readmission or re-hearing of an appeal, order XLI. rules 19 & 21.

19. Applications for leave to appeal as a pauper, order XLIV, rule 1.

20. Applications under order XLVII, rule 1, review of judgment.

21. Applications under section 152 of Act No. V of 1908.

22. All applications under sections 4, 53, and 54 of the Provincial Insolvency Act.

23. All other judicial proceedings relating to or arising out of suits or other cases.

REGISTER No. 41.
Register of persons committed to Jail.
(Rule 330)

Serial Number	Number of case in which commitment was directed and names of parties.	Date of commitment	Name of person committed with description and place of abode	Grounds of commitment, with section of Code of Civil Procedure or other law.	If commitment was made under Section 55 of the Code of Civil Procedure, amount of Judgment-debt sought to be recovered	Term of imprisonment	Date of release	Remarks
1		2	4	5	6	7	8	9

REGISTER No. 42
Register of proceedings taken in execution of orders received from the High Court.
(Rule 330)

Date of receipt of order	Date of order	Date within which execution is directed	Nature of Order	Particulars of cases					Remarks
				Number of case in High Court	Plaintiff	Defendant or Respondent	Before High Court in First or Second Appeal from decree or from order, or in revision	Date of return of order executed, or explanation of non-execution	
1	2	3	4	5	6	7	8	9	10

REGISTER No. 43
Register of Records requisitioned and Returned
(Rule 330)

Serial Number	Particulars of case for which record requisitioned				Number and date of the requisition letter		To whom requisition sent		Particulars of the record requisitioned					Date by which record is required		Date of receipt of the record		From whom received		Date of the return of the record		To whom returned		Number and date of the despatch register		Remarks.
	Number and year	Kind of Case	Title of Case	Date of hearing	6	7	8	9	10	11	12	13	14	15	16	17	18	19								

Note:—Records of other courts which are received without any requisition should also be entered in this register. Columns 2,3, 4, 5 and 6 may be left blank in such cases.

REGISTER No. 44.
Register of persons summoned and examined
(Rule 330)

Serial Number	Date	Number of parties			Number of witnesses summoned and present	Number of witnesses examined out of those summoned	Number of witnesses examined other than those summoned	Number of witnesses summoned and present, but not examined on the day for which summoned or the following day	Remarks .
		Ordered to attend personally under Order V, rule 3, and present	Of those entered in column 3	Other than those entered in column 3					
1	2	3	4	5	6	7	8	9	10

Note.—This register shall be maintained by the Reader and entries shall be made for each case in which any parties or witnesses are examined as soon as the hearing of the case for the day is concluded.

REGISTER No. 45.
Register of Injunctions and Stay Orders.
(Rule 330)

Serial Number	Date of application	Date of first order	First Order,			Date of final order.	Final Order		Remarks.
			Application rejected without notice	<i>Ex parte</i> orders made	Notice issued but no <i>Ex parte</i> order made		<i>Ex parte</i> ordered maintained after contest	<i>Ex parte</i> ordered discharged after contest	
1	2	3	4	5	6	7	8	9	10

REGISTER No. 46.
Memorandum Book of dates for Cases.
(-Rule 331)

Cases fixed for hearing on..... day, the19.....

Serial Number	Kind of case (Original, appeal etc.)	Number and Year of case	Plaintiff Appellant or Applicant	Defendant, Respondent or opposite party	Name of pleader for Plaintiff Appellant or Applicant	Name of pleader for Respondent or Opposite party	Purpose for which case is set down for hearing	Date to which adjourned, if case not disposed of	Remarks.
1	2	3	4	5	6	7	8	9	10

Note:—Entries in the register for different kinds of cases shall be shown and grouped separately.

REGISTER No. 47
Register of Appeals from decrees.
(Rule 333)

Date of presentation of memorandum	How instituted, i. e. (1) Originally presented, (2) Received by transfer; (3) Remanded; O. XLI, r. 23 (4) Reviewed; O. XLVII, r. 4. (5) Revived; O. XLI, r. 19 and O. XLI, r. 21.	Number of appeal	Name of appellant with description and place of abode	Name of respondent with description and place of abode	Of what court	Decree appealed from				Judgment			Appeal from appellate decree			REMARKS
						Number of original suit	Particulars	Amount of value	Date fixed for hearing	Date	Confirmed, reversed, or altered	For what, or amount	Date of institution	Date of disposal	Judgment	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

The instructions as to numbering given on Register No. 32, are applicable, *mutatis mutandis*, to this register.

The entry in column No. 8 shall be made with reference to columns 26 to 34 of the register showing the classification and value of suits (Reg. No. 38). Appeals from decrees under section 47, Act No. V of 1908, shall be entered in this register.

REGISTER No. 42.
Register of Miscellaneous Appeals from Orders.
(Rule 333)

Date of presentation of memorandum	How instituted i. e. — (1) Originally presented; (2) Received by transfer; (3) Remanded; O, XLI, r. 23 (4) Reviewed; O, XLVII, r. 4 (5) Reviewed; O XLI, r. 19 and O, XLI, r. 21	Number of appeal.	Name of appellant with description and place of abode.	Name of respondent with description and place of abode.	Order appealed from.				Date fixed for hearing.	Judgment			Remarks.
					Of what Court.	Number of original suit.	Particulars.	Amount of value.		Date	Confirmed, reversed, or altered.	For what, or amount	
1	2	3	4	5	6	7	8	9	10	11	12	13	14

The instructions as to numbering given on Register No. 32, are applicable, *mutatis mutandis*, to this register.

The entry in column 8 shall be made with reference to columns 26 to 34 of the register showing the classification and value of suits (Reg. No. 38.)

The entries in this register shall be totalled monthly, quarterly and annually

REGISTER No. 50A

Register of Revision cases under the Gram Panchayat Act.

Serial Number	Date of applications if any and of the order calling for record.	One whose application or behalf the revision is				Particulars—		
		Complainant	Accused	Plaintiff	Defendant	Name of Panchayat	Whether Panchayat or	Tehsil Panchayat
1	2	3	4	5	6	7	8	9

of original case

Case No. Pancha- yat or Tehsil Panchayat	Name of parties	Kind of case	Date of order under revision	Abstract of order under revision	Date of receipt of record	Date of disposal of case	Result or decision	Remarks.
10	11	12	13	14	15	16	17	18

REGISTER No. 50-B.

Register of Revision cases under the Rajasthan Relief of
Agricultural Indebtedness Act, 1957.

Date of presenta- tion	S. No. of application	Applicant's name parentage, and residence.	Opposite party name, parentage and residence.
1	2	3	4

Particulars of original case

5						Date of requisition for calling of record.
Debt Relief Court.	Case No.	Names of the parties.	Kind of case.	Date of order under revision.	Abstract of the order under revision.	
(i)	(ii)	(iii)	(iv)	(v)	(vi)	6
Date of receipt of record.	Date of disposal of the case.	Result or decision of the case.	Date of returning lower Court's records.	Date of consigning the record to the record room.	Remarks.	
7	8	9	10	11	12	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24																						
Date of application		Name of applicant with description and place of abode		Serial number of this Register		Whether received by transfer		Under arrest or imprisonment		Not under arrest, or imprisonment		By creditors		Date of disposal		Transferred to what Court		Withdrawn under section 14		Dismissed under section 25		A receiver being appointed		A receiver not being appointed		Composition approved by Court under section 38		Whether any debtor sent for trial under section 69		Whether any undischarged insolvent sent for trial under section 72 (2)		Persons adjudged insolvents		Date		Transferred to another Court undischarged		Number absolutely discharged under section 41 (2) (a)		Number conditionally discharged under section 41 (2) (c)		Number remaining undischarged section 41 (2) (b)		Late by which discharge is to be applied for.	
How received in court				Whether filed in court		By debtors		By creditors		Date of disposal		Transferred to what Court		Withdrawn under section 14		Dismissed under section 25		A receiver being appointed		A receiver not being appointed		Order of appointment granted under section 27		How disposed of—		Composition approved by Court under section 38		Whether any debtor sent for trial under section 69		Whether any undischarged insolvent sent for trial under section 72 (2)		Persons adjudged insolvents		Date		Transferred to another Court undischarged		Number absolutely discharged under section 41 (2) (a)		Number conditionally discharged under section 41 (2) (c)		Number remaining undischarged section 41 (2) (b)		Late by which discharge is to be applied for.	

Note:—Columns 4-7 should be totalled monthly and the monthly totals added up annually; and the remaining columns 9, 14, 15, 16, 17, 19, 23 should be totalled annually, Column 23 will furnish figures for column 17 of (Ret. 44) being the difference between the totals of column 17 and of columns 19-22 together.

When a case is transferred to another court for disposal, columns 10-23 will not be filled up.

The date to be entered in column 24 is the date on which the period fixed for the debtor to apply for his discharge expires. The dates of the expiry of the extended period should be noted in red ink below the original date,

REGISTER No. 52.
Register of Insolvent's estates in the hands of receiver.
 (Rule 334.)

1	2	3	4	5	6	7	8	9	10	11	12	13	14		
Date of appointment and name of Receiver	Number of case in Insolvency Register	Name of applicant	Amount of creditor's claims		Assets realized		Disbursements							Creditor's claim not satisfied	Amount of realized assets in the hands of Receiver-section 62 (1)
			Proved—Section 49	Disallowed—Section 50	Date	Amount	Date	Remuneration of Receiver-section 57 (4)	Charges other than creditor's claims-section 62 (1) (d)	Creditor's claims satisfied-section 62 (2)	Total				

Note:—Columns 4, 5, 7, 12, 13 and 14 should be totalled quarterly on receipt of the Receiver's statement and annually. Column 12 will be filled up when columns 9, 10 and 11 have been filled up.

REGISTER No. 53
Gradation list of Establishment of Judgeship.
 (Rule 335)

Serial number	Name, Caste, and residence of the official	Examinations Passed	Date of entry in Government service	Date of appointment in this grade	Salary on which appointed in the grade	Permanent or temporary	Nature and period of appointment, if temporary	Permanent post	Remarks.
1	2	3	4	5	6	7	8	9	10

REGISTER No. 54.
Process Register
(Rule 336)

Serial Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Date of issue																				
Court																				
Number of case and names of parties																				
Date of receipt for issue																				
Date fixed for return to Nazir																				
Date fixed for hearing																				
Nature of process																				
Within five mile radius																				
Outside five mile radius																				
Name of process—server																				
Serial number, in register of petty Receipts and Repayments.																				
Amount as entered in Register of petty Receipts and Repayments.																				
Amount paid to process server for disbursement																				
Amount as entered in Register of Petty Receipts and Repayments																				
Unexpended process money refunded by the process server																				
Date of return of process to the Court of issue.																				
Signature of official acknowledging receipt of return of process																				
REMARKS.																				
(State the number of peons remaining unemployed at close of day after distribution of processes)																				

Entries shall be made in the order in which the processes are issued, columns 1 to 13 being filled up at the time of issue, and the remaining columns after return of service. Columns 9 and 10 shall be filled up with reference to the lists maintained under rule 116, Columns 12, 13, 16, and 17 shall be filled up with reference to the corresponding columns of the Register of Petty Receipts and Repayments and with reference to rule 266. The cause of any delay in the service of process shall be explained in column 20. At the close of each month, quarter and year, the Nazir shall enter in this Register the number of processes issued, that is, the totals of columns 9 and 10 respectively, and the average number of peons remaining unemployed at the close of each working day.

The Presiding Judge of the Court shall from time to time ascertain that the work is fairly distributed among the peons.

REGISTER No. 55.
Register of peons (Process-servers)
(Rule 336)

Serial number	Date of return of processes to Nazir	Number of warrants executed	Number of warrants not executed	Summons and notices personally served	Summons and notices served, but not personally	Summons and notices returned unserved	Note of any other work done	Remarks.
1	2	3	4	5	6	7	8	9

NOTE:—1. A separate page shall be allotted in this register for every process-server.

2. Entries shall be made upon the return of process-server after serving (or returning without service) a warrant, summons or notice.

3. At the end of the month, the several columns shall be totalled up.

REGISTER No. 56.
Despatch Register (Local)
(Rule 336)

Date	Number and date of paper	Branch or Section	Description of paper or papers	To whom addressed	Acknowledgment of person receiving paper or papers	Remarks.
1	2	3	4	5	6	7

REGISTER No. 57
Despatch Register (Postal)
(Rule 336)

Date	Number and date of paper	Branch or Section	Description of paper or papers	To whom addressed	Weight of letter or parcel	Value of postage stamps affixed.	Remarks.
1	2	3	4	5	6	7	8

REGISTER No. 58.
Register of orders issued to Amins.
(Rule 337)

Serial number	2	Number of case.	3	Title of case.	4	Nature of order.	5	Name of Amin.	6	Date of order:	7	Date of delivery of order to Amin.	8	Time allowed for compliance.	9	Within time allowed.	10	Beyond it.	Date of compli- ance.	11	Date of entry in the register of receipts of deposits.	12	Number of items in the register.	13	Amount.	Amount received by Amin for incident expenses that is, other than those entered in the cash register.		15	16	17	18	19	20	Remarks.
																										Date.	Amount.							

Note:—If the order be not complied with within the time allowed, the nature of the order passed regarding the delay should be indicated in the remarks column.

Note in red ink the extension allowed, below the date initially fixed for the return of process.

REGISTER No. 60.
Amin's Proceedings Register
(Rule 338)

(Rule 338)																	
Court issuing order	Number and year of case	Title of Case	Nature of duty	Of order		Date of receipt of order	Time allowed for compliance	Date of commencement of duty	Date of report of completion	Moneys received by Amin for incidental expenses, and not entered in the Cash Register.		Disposal of the Amount		Remarks			
				Number	Date					Disbursed	Returned	Date	Amount				
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	

REGISTER No. 61.
Amin's Property Register
(Rule 338)

Serial Number	Date of receipt	Court by which attachment was ordered	Number and year of case	Names of parties	Number and date of order for execution	Abstract of order	Description of property	Name of reputed owner	Particulars as to intermediate custody	Date of disposal	Manner of disposal	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13

REGISTER No. 62
Amin's Cash Register
(Rule 338)

Serial Number	Date of receipt	Court by which process issued	Names of parties	Number and date of order for execution	Abstract of order	Amount realised	Name of person, from whom realised	Date of payment into Treasury or Court	Voucher number and date	Remarks.
1	2	3	4	5	6	7	8	9	10	11

REGISTER No. 68.
Register of Court Fees and Process-fees.
(Rule 339)

1	Date.	2	Number of case and names of parties.	3	Description of paper.	4	Name of payer.	5	On plaint or memorandum of appeal.	6	On copies and translations.	7	On probates, certificate and letters of administration.	8	Other court-fees.	9	Total.	10	Summonses or notices to defendants or respondents.	11	Summonses to witnesses.	12	Warrant of arrest.	13	Other processes.	14	Emergent.	15	Commissioner's Fee.	16	Order of attachment.	17	In respect of services of attaching officer.	18	In respect of order of sale.	19	Sale fee.	20	Poundage.	21	Other fees.	22	Total.	23	Inspection fees.	24	Search fees.	25	Grand total.	26	Signature of the person to whom the paper was delivered.	27	Number and date of certificate	28	Nature of fees refunded.	29	Amount.	30	He m a r k s.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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- All court-fees and process-fees, impressed on or affixed to the papers filed in Court, shall be entered in their appropriate columns in this register, as soon as a paper is presented to the Judge presiding in a Court or to his, Munsarim with a view to having the same brought on the record, and a note, "entered" shall be placed under each stamp, with the date and the initials of the official in-charge of this register.
- The entries in columns 5 to 25 shall be totalled daily, weekly, monthly, quarterly and annually.
- Commission Fees, paid for the services of Amins, shall be entered in column 21 and those paid to other persons in column 15.
- Both the *ad valorem* and fixed fees on plaints, memoranda of appeals and applications for review of judgment shall be entered in column No. 5.
- When sale, attachment, etc. are made by a person other than a Civil Court Amin, process-fees paid for the services of such persons shall be entered in column 13 and a note of such service shall be made in the column of remarks.
- Particulars of stamps on copies on which court-fees have been paid before issue, and on translations, certificates, probates and letters of administration shall be entered in the register of the Court which issues the documents. Stamps attached to copies after issue in order that the copies may be filed, shall be entered in the register of the Court in which the copies are filed.
- The entries relating to applications for copies shall be shown as one entry, the particulars being obtained at the end of each day from Register No. 9. The only columns to be used for these entries will be columns 1, 8, 9 and 25.

REGISTER No. 64.
Register of Casual Leave.
(Rule 340).

Serial Number	Name of the official.	Leave taken during the year												Remarks.
		14	13	12	11	10	9	8	7	6	5	4	3		2	1

REGISTER No. 66.
General Register of Correspondence Files.
(Rule 365)

Serial Number	Date of opening of file.	Opening letter.				Date of closing of file.	Closing letter.				Subject	Head and Sub-Head in index of closed files.	Number and date of entry in index of closed files.	Remarks.
		Number.	Date	From.	To.		Number.	Date.	From	To.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

REGISTER No. 67.
Register of Letters Received.
(Rule 367)

Serial Number	Date of receipt.	From whom received	Number of Letter.	Date of letter.	Subject	Reference.	Acknowledg. ment of official to whom handed over.	Remarks.
1	2	3	4	5	6	7	8	9

REGISTER No. 68
Register of Letters issued.
(Rule 368)

Serial Number.	Date.	To whom addressed.	Subject or contents.	Reference.	Acknowledgment of Nazir or despatcher	Remarks.
1	2	3	4	5	6	7

REGISTER No. 69
File Index
(Rule 375)

Head and sub-head	Serial number (in File Index)	Date of closing letters	Subject	Number of letters in file originally	Number weeded under the rules	Date of weeding	REMARKS.
1	2	3	4	5	6	7	8

REGISTER No. 70
Register of general letters and Circulars,
[Rule 378 (4)]

Serial Number	Date of receipt	Issuing authority	Number and date of circular	Subject	File on which placed.	Serial number of pages of the file	Acknowledgment of the official to whom copy delivered	Remarks.
1	2	3	4	5	6	7	8	9

REGISTER No. 73.
General Register of books.
(Rule 390)

Serial Number.	Date of receipt.	From whom received.	Name of book.	Number of volume.	Name of author.	Name of publisher.	Date of publication	Cost.	Reference to contingent bill No. and date.	Classification in Catalogue.	Sectional number in Catalogue.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13

REGISTER No. 75
Classified Catalogue of Books
(Rule 390)

Class	Sub-head, if any	Serial number in class	Number in the General Register of Books	Date of receipt	Name of Book	Number of Volume	Name of Author	Date of publication	Name of publisher	Remarks.
1	2	3	4	5	6	7	8	9	10	11

REGISTER No. 76
Register of books issued from Library
(Rule 394)

Serial No. of issue	Date of issue	Name of the book	General Serial number of book	Class and sub-head, if any	Sectional serial number	To whom issued	Date of return
1	2	3	4	5	6	7	8

REGISTER No. 77.
Register of accounts furnished by guardians under section 34 of the Guardians and Wards Act.
(Rule 417)

Serial Number	Number and year of case	Name and full address of person called to file accounts	Date on which accounts are closed	Dates on which accounts are filed											Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
				1953	1954	1955	1956	1957	1958	1959	1960	1961	1962		

REGISTER No. 78.
Receiver's cash-book.
(Rule 435)

Date of receipt	Particulars of income and from whom received with name of estate	Number of receipts	Amount	Reference to the personal ledgerfolio	Date of payment	Nature of payment and to whom paid with name of estate	Number of cheque or the word 'Cash'.	Amount	Reference to the personal ledgerfolio
1	2	3	4	5	6	7	8	9	10

REGISTER No. 79
Receiver's Personal Ledger.
(Rule 443 (8)]

[rule 44B (8)]					
Date	Particulars	Amount.	Date	Particulars	Amount
1	2	3	1	2	3

REGISTER No. 80
Receiver's Register of Insolvent's Movable Property
[Rule 443 (11)]

Name of estate.....								
Serial No.	Description of property	Number, quantity or weight	Estimated value.	Official Receiver's initials	Manner of disposal	Date of disposal	Amount for which disposed of	Remarks.
1	2	3	4	5	6	7	8	9

REGISTER No. 81.
Receiver's Register of Miscellaneous demands,
[Rule 443 (11)]

Name of estate.....									
Serial number.	From whom due.	Particulars of demand.			Official Receiver's initials.	Particulars of realization.			Remarks.
		Reference.	Cu' ent.	Arrear.		Date of receipt.	Number of receipt.	Amount.	
1	2	3	4	5	6	7	8	9	10

REGISTER: No. 82.
Receiver's Register of Insolvent's Immovable property.
[Rule 443 (12)]

Name of estate.....					Remarks	
Serial number.	Description of property	Extent of share and its approximate value.	How managed with name of the lessee, if any,	If rented or leased, amount thereof.	Official Receiver's initials.	
1	2	3	4	5	6	7

REGISTER No. 83
Receiver's Bahi-Khata
[Rule 443 (12)]

Name of estate.....							Remarks	
Serial number	Name on the tenant	Reference to the Patwaris' Khatuni	Period of lease	Nature of demand	Amount	Date and number of receipt	Amount	
1	2	3	4	5	6	7	8	10

REGISTER No. 84
Receiver's Register of Insolvent's Book-Debts.
[Rule 443 (15)]

Name of estate.....										Remarks.	
Date of document		Name and address of the party who executed the document		Amount		Official receiver's initials		Date of realization		Particulars of collection	
Serial number	Month	Date		Principal	Interest					Number of receipt	Amount realized
1	2	3	4	5	6	7	8	9	10	11	

NOTE:—A separate page shall be allotted to each kind of printed form.

NOTE:—A separate page shall be allotted to each kind of printed form.

[illegible]

REGISTER No. 89.
Register of saleable forms.
(Rule 473)

Date.	Receipt or issue.	Supply voucher No. & date in case of receipts.	Issue voucher No. and date in case of issue.	Name of person to whom issued.	Amount of price realised.	Treasure.	Voucher number and date.	Number and description of saleable forms.										Total value of forms (at issue price).	Remarks.

Note:—1. One column may be used for each kind of form.
2. A balance should be struck after each entry.

REGISTER No. 90.
Stationery Register
(Rule 476)

ARTICLES OF STATIONERY.										Remarks.
Date.	Receipt or issue.	Invoice or Bill number in case of receipts.								

Note:—1. One column may be used for each article.
2. Balance should be struck after each entry.
3. In case of issues, only weekly or monthly totals need be entered.

REGISTER No. 91.
Stock-Book of Stationery Articles.
(Rule 476)

Date	Particulars	Number received	Number issued	Closing Balance	Signature of recipient	R E M A R K S .
1.	2.	3.	4.	5.	6.	7.

REGISTER No. 92
Register of Securities.
(Rule 516)

Serial Number	Office held by Public Accountant	Name of Public Accountant	Pay	Maximum amount ordinarily in his hands at any one time	Amount of security	Date of security Bond	Character of security	Opinion of District Judge	Remarks.
1	2	3	4	5	6	7	8	9	10

REGISTER No. 93
Register of Pleaders.
(Rule 526)

Serial Number	Date of enrolment in the District Judge's register	Name	Father's name	Number in High Court's register and year of admission.	Value of stamp on certificate	Note of renewal			Note of renewal			Note of renewal			Note of renewal			REMARKS.		
						Date of application	Date of renewal certificate	Value of stamp on certificate	Date of application	Date of renewal certificate	Value of Stamp on certificate	Date of application	Date of renewal certificate	Value of stamp on certificate	Date of application	Date of renewal certificate	Value of stamp on certificate	Date of application	Date of renewal certificate	Value of stamp on certificate
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19		

REGISTER No. 94
List of Approved Senior Practitioners.
(Rule 528)

Serial Number	Date of admission to list	Reference to number and date of High Court's order	Name of legal practitioner	Place of residence	R E M A R K S.
1	2	3	4	5	6

REGISTER No. 95.
Register of recognised pleaders' clerks.
(Rule 581)

Serial No.	Date of application	Date of entry in register	Name and description of clerk	Name of pleader	R e m a r k s
1	2	3	4	5	6

REGISTER No. 96.
Register of Licensed Petition-Writers
(Rule 596.)

Serial number	Date of licence	Name	Father's Name	Place of residence	Qualification	Place of business and Court to which attached	Amount of fee paid	Reference to Treasury voucher number and date	Note of renewal of licence					
									Date of renewal	Amount of fee paid	Reference to Treasury voucher number and date	Date of renewal	Amount of fee paid	Reference to Treasury voucher number and date
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

(Contd.)

(Contd.)

REGISTER No. 96—(Contd.)

[illegible]

REGISTER No. 97

Stock-Register

(Rule 631)

Date of receipt	Name and description of article	Number of pieces	From whom received	Cost	Reference to number and date of contingent Bill	Initials	Date of disposal	Number of pieces disposed of	Value realised	Reference to number and date of Treasury voucher	Initials
1	2	3	4	5	6	7	8	9	10	11	12

REGISTER No. 98.
Register of Petitions to be Maintained by licensed Petition writers.
(Rule 596)

S. No. of petition.	Date on which petition was written.	Name, parentage caste and residence of the person at whose instance the petition was written.	Name of the Court in which to be presented.	Description of petition.	Brief abstract of contents of petition.	Value of Court fee labels affixed to the petition.	Fee charged for writing the petition..	Remarks.	Signature of petitioner.	Signature of person at whose instance the petition was written.
1	2	3	4	5	6	7	8	9	10	11

APPENDIX—D.

(1) List of Returns (Statements) and Reports prescribed by General Rules (Civil), 1952.

Serial Number	Description	Rule by which prescribed	By whom to be sent or submitted	To whom to be sent or submitted	Period	When to be sent	Remarks
1	2	3	4	5	6	7	8
1	Weekly certificate of check of Nazir's cash.	293	Munsarim.	Presiding Judge.	Weekly.	Soon after the examination of the cash balance.	
2	Monthly Attendance Register of subordinate Courts (at head-quarters) and true copies of such registers of outlying Courts.	12	Subordinate courts.	District Judge.	Monthly	By 4th day of the succeeding month.	
	Copy of the District Judge's monthly attendance register.	12	District Judge.	Registrar, High Court.	Monthly	By 10th day of the succeeding month.	
3	Monthly Report about the observance of Court hours by subordinate Courts	12	District Judge.	Registrar, High Court.	Monthly	By 10th day of the succeeding month.	Form not prescribed.
	Monthly memorandum of the grand totals of receipts and repayments (certified by the Treasury Officer).	288	Subordinate court.	District Judge.	Monthly	By 5th day of the succeeding month.	
5	Monthly extract from the register of Receipts of Deposits.	288	-do-	-do-	-do-	-do-	
6	Monthly extract from the Register of Repayments of Deposits.	288	Subordinate courts	District Court.	Monthly	By 5th day of the succeeding month.	
7	Monthly Plus and Minus Memorandum	288	-do-	-do-	Monthly	By 5th day of the succeeding month.	
	Monthly Consolidated Plus and Minus Memorandum.	290	District Judge.	Treasury officer, (for verification)	-do-	-do-	

8	Copy of the monthly Consolidated Plus and Minus Memorandum (verified by 'Treasury Officer') together with copies of the related monthly extracts.	291	District Judge	Accountant General	Monthly	By 13th day of the succeeding month.	Form not prescribed.
		334	Clerk concerned.	Presiding Officer.	Monthly	By 7th day of the succeeding month.	
		346	Subordinate courts	District Judge.	Monthly	By 5th day of the succeeding month.	
		346	District Judge.	Registrar, High Court.	Monthly	By 7th day of the succeeding month.	
9	Monthly statement of work done.— (a) In subordinate Courts. (b) In a district court. (c) In courts subordinate to a District Court.	346	-do-	-do-	-do-	-do-	Form not prescribed.
		350	Subordinate courts	District Judge.	Monthly	By 5th day of the succeeding month.	
		350	District Judge.	Registrar, High Court.	Monthly	By 10th day of the succeeding month.	
		360	Every Court.	Treasury Officer.	Monthly	By 15th day of the succeeding month.	
10	Monthly list of cases in which judgments were delivered with delay— (a) By the subordinate courts. (b) By a District Judge along with the list of such cases received from the Civil Judge.	360	Every Court.	Treasury Officer.	Monthly	By 15th day of the succeeding month.	Form not prescribed.
		360	Every court.	District Judge.	Monthly	Soon after the verified Return is received from the Treasury Officer.	
		442	Receiver.	Court.	Monthly	First day of the succeeding month.	
		497	Amin.	Officer-in-Charge.	Monthly	By 5th day of the succeeding month.	
11	Monthly statement showing the grand totals of amount of receipts under Head XXI-Administration of Justice.	360	Every court.	District Judge.	Monthly	Soon after the verified Return is received from the Treasury Officer.	Form not prescribed.
		442	Receiver.	Court.	Monthly	First day of the succeeding month.	
		497	Amin.	Officer-in-Charge.	Monthly	By 5th day of the succeeding month.	
12	Monthly statement showing the grand totals of amounts of receipts under Head XXI-Administration of Justice (Verified.)	360	Every court.	District Judge.	Monthly	Soon after the verified Return is received from the Treasury Officer.	Form not prescribed.
		442	Receiver.	Court.	Monthly	First day of the succeeding month.	
		497	Amin.	Officer-in-Charge.	Monthly	By 5th day of the succeeding month.	
13	Monthly statement of work done by Amin	360	Every court.	District Judge.	Monthly	Soon after the verified Return is received from the Treasury Officer.	Form not prescribed.
		442	Receiver.	Court.	Monthly	First day of the succeeding month.	
		497	Amin.	Officer-in-Charge.	Monthly	By 5th day of the succeeding month.	

14	Copy of diary of Amin for preceding month.	503	Amin.	The court in which he is employed.	Monthly	First day of the succeeding month.
15	Monthly Return of sums realised by Amin.	503	Amin.	—do—	Monthly	—do—
16	Monthly statement of movable property attached under the orders of the Court, remaining under the custody of the Amin or in that of an intermediate custodian.	503	Amin.	—do—	Monthly	—do—
17.	Quarterly list of cases in which part C is weeded out and in which there are cumbersome and bulky exhibits which have not been put up with the record of the trial.	175	Record keeper.	Judge-in-charge.	Quarterly	By 7th day of the month succeeding the quarter.
18	Quarterly report when the actual receipts in any court on account of copying work fall below the disbursements in the case of.— (a) Court subordinate to the District Judge.	244	Presiding Officer.	District Judge.	Quarterly.	By 15th day of the month next succeeding the quarter to which it relates.
		244	Munsarim	District Judge.	—do—	—do—
		293	Subordinate Courts	District Judge.	Quarterly	Form not prescribed.
		345	Subordinate Courts	District Judge.	—do—	Form not prescribed
19	Quarterly Report of the result of the check of the Register of Petty Receipts and Repayments by Presiding Officer.	244	Munsarim	District Judge.	Quarterly.	By 15th day of the month next succeeding the quarter to which it relates.
20	Quarterly statement showing the result of the trial of civil suits in Courts of original jurisdiction.	345	District Judge.	Registrar, High	—do—	By 15th day of the month next succeeding the quarter to which it relates.

21	result of the trial of civil suits in courts of original jurisdiction in the Judge ship. Quarterly statement showing the result of proceedings, on applications for execution of decrees and orders. Quarterly statement showing the result of proceedings on applications for execution of decrees and orders in the judgeship.	345	Subordinate Courts	District Judge.	—do—	month next succeeding the quarter to which it relates. By 5th day of the month next succeeding the quarter to which it relates. By 15th day of the month next succeeding the quarter to which it relates.
22	Quarterly statement showing the business of Civil Appellate courts and appeals from decrees and orders. Quarterly statement showing the business of Civil Appellate Courts in appeals from decrees and orders in the judgeship.	345	District Judge.	Registrar, High Court.	—do—	month next succeeding the quarter to which it relates. By 5th day of the month next succeeding the quarter to which it relates. By 15th day of the month next succeeding the quarter to which it relates.
23	Quarterly statement of Injunctions and Stay Orders issued by Courts.	345	District Judge.	Registrar, High Court.	—do—	month next succeeding the quarter to which it relates. By 5th day of the month next succeeding the quarter to which it relates. By 15th day of the month next succeeding the quarter to which it relates.
24	Quarterly statement of injunctions and stay orders issued by Courts in the judgeship. Quarterly list of pending regular suits stayed by orders passed by the High Court. Quarterly list of pending regular suits stayed by orders passed by the High Court in the judgeship. Quarterly list of pending Execution cases stayed by the High Court.	345	Subordinate Courts	District Judge.	Quarterly.	month next succeeding the quarter to which it relates. By 5th day of the month next succeeding the quarter to which it relates. By 15th day of the month next succeeding the quarter to which it relates.
25	Quarterly list of pending Execution cases by the High Court, in the judgeship.	345	District Judge	Registrar, High Court.	Quarterly.	month next succeeding the quarter to which it relates. By 5th day of the month next succeeding the quarter to which it relates. By 15th day of the month next succeeding the quarter to which it relates.

26	Quarterly statement explaining the delay in suits pending over one year.	345	Subordinate Courts District Judge.	Quarterly.	By 5th day of the month next succeeding the quarter to which it relates.
	Quarterly statement explaining the delay in suits pending over one year, in the judgeship.	345	District Judge	Registrar, High Court.	By 15th day of the month next succeeding the quarter to which it relates.
27	Quarterly statement explaining the delay in execution applications pending over one year.	345	Subordinate Courts District Judge.	Quarterly.	By 5th day of the month next succeeding the quarter to which it relates.
	Quarterly Statement explaining the delay in execution applications pending over one year, in the Judgeship.	345	District Judge	Registrar, High Court.	By 15th day of the month next succeeding the quarter to which it relates.
28	Quarterly statement of receipts from search fees, Inspection fees, Copying charges and of the salary of the establishment employed.	349	Subordinate Courts District Judge.	Quarterly.	By 5th day of the month next succeeding the quarter to which it relates.
	Quarterly General statement showing receipts from search fees, inspection fees, copying charges and also of the Salary of the establishment employed for the Court of District and Sessions Judge and for each Court subordinate there to.	349	District Judge	Registrar, High Court.	By 15th day of the month next succeeding the quarter to which it relates.
29	Quarterly list of books which have been out of the library for more than three months.	395	Librarian	Presiding Officer.	By 5th day of the month next succeeding the quarter to which it relates.
30	Quarterly accounts of Deposits and Cash-balances in respect of all the estates for which there is a Receiver.	436	Receiver	Presiding Officer.	By 10th day of the month next succeeding the quarter to which it relates.
31	Quarterly accounts of all the receipts and disbursements in the case or cases in which there is a Receiver.	437 and 443(8)	Receiver	Presiding Officer.	By 10th day of the month next succeeding the quarter to which it relates.

32	Report about the work of Munsaf, during vacation about receipt of moneys.	262	Presiding Officer	District Judge.	Yearly.	By 7th day of July.	Form not prescribed.
33	Annual list of lapsed deposits credited to Government.	295	Subordinate Courts	District Judge.	Yearly.	By 20th day of April.	
	Annual list of lapsed deposits credited to Government of the District Court and the courts subordinate thereto.	295	District Judge	Treasury Officer	Yearly.	By 10th day of May.	
	A copy of the annual list of lapsed deposits credited to Government of the District Court and the Courts subordinate thereto.	295	District Judge.	Accountant General.	Yearly.	By 10th day of May.	
34	Annual Clearance Register (Consolidated statement) of outstanding balances of deposits in the District Court and the Courts subordinate thereto.	298	Subordinate Courts	District Judge.	Yearly.	By the 10th of April.	
		298	District Judge.	Accountant General	Yearly.	By 25th day of April.	
35	Annual statement showing the general result of the trial of civil suits.	344	Subordinate Courts	District Judge.	Yearly.	By 20th day of January.	
	Annual statement of the Judgeship showing the general result of the trial of civil suits.	344	District Judge.	Registrar, High Court.	Yearly.	By 15th day of February.	
36	Annual statement showing the number and description of suits instituted.	344	Subordinate Courts	District Judge.	Yearly.	By 20th day of January.	
	Annual statement of the Judgeship showing the number and description of suits instituted.	344	District Judge.	Registrar, High Court.	Yearly.	By 15th day of February.	
37	Annual statement showing the number and value of suits instituted.	344	Subordinate Courts	District Judge.	Yearly.	By 20th day of January.	
	Annual statement of the Judgeship showing the number and value of suits instituted	344	District Judge.	Registrar, High Court	Yearly.	By 15th day of February.	

38	Annual statement showing the mode of disposal of miscellaneous cases (judicial)	344	Subordinate Courts	District Judge.	Yearly.	By 20th day of January.
39	Annual statement of the judgeship showing the mode of disposal of miscellaneous cases (judicial)	344	District Judge.	Registrar, High Court.	Yearly.	By 15th day of February.
39A	Annual statement showing the business of Civil Appellate courts in appeals from decrees.	344	Subordinate Courts	District Judge.	Yearly.	By 20th day of January.
40	Annual Statement (consolidated) of the Judgeship showing the business of civil appellate courts in appeals from decrees.	344	District Judge.	Registrar, High Court.	Yearly.	By 15th day of February.
39A	Annual return of Revision cases under the Gram Panchayat Act.	Nil				
40	Annual statement showing the business of civil appellate courts in miscellaneous appeals (judicial)	344	Subordinate Courts	District Judge.	Yearly.	By 20th day of January.
41	Annual statement (consolidated) of the judgeship showing the business of civil appellate Courts in miscellaneous appeals (judicial)	344	District Judge.	Registrar, High Court.	Yearly.	By 15th day of February.
41	Annual statement of undecided suits classified according to years.	344	Subordinate Courts	District Judge.	Yearly.	By 20th day of January.
42	Annual statement of the judgeship showing the result of proceedings on applications for execution of decrees and orders.	344	District Judge.	Registrar, High Court.	Yearly.	By 15th day of February.
42	Annual statement showing the result of proceedings on applications for execution of decrees and orders.	344	Subordinate Courts	District Judge.	Yearly.	By 20th day of January.
	Annual statement of the judgeship showing the result of proceedings on applications for execution of decrees and orders.	344	District Judge.	Registrar, High Court.	Yearly.	By 15th day of February.

43	Annual statement of injunctions and stay orders issued by courts. Annual statement (consolidated) of the judgements of Injunctions and stay orders issued by Courts.	344	Subordinate Courts District Judge.	Yearly.	By 20th day of January.
44	Annual statement showing the number and result of insolvency petitions and the number of insolvents.	344	District Judge.	Registrar, High Court.	By 15th day of February.
45	Annual statement of proceedings in insolvency showing the number of estates in the hands of receivers and progress made in winding them up.	344	District Judge.	Registrar, High Court.	By 15th day of February.
46	Annual statement showing the number of process serving peons employed and the fees received for their services.	344	Subordinate Courts District Judge.	Yearly.	By 20th day of January.
47	Annual statement (consolidated) of the judgements showing the number of process serving peons employed and the fees received for their services.	344	District Judge.	Registrar, High Court.	By 15th day of February.
48	Annual statement showing the number of persons summoned and examined.	344	Subordinate Courts District Judge.	Yearly.	By 20th day of January.
	Annual statement of the judgements showing the number of persons summoned and examined.	344	District Judge.	Registrar, High Court.	By 15th day of February.
	Annual statement showing the income and expenditure of civil courts.	344	Subordinate Courts District Judge.	Yearly.	By 20th day of January.
	Annual statement (consolidated) of the judgements showing the income and expenditure of civil Courts.	344	District Judge.	Registrar, High Court.	By 15th day of February.

49	Annual statement showing the number of probates, letters of administration and certificates issued.	344	Subordinate Courts	District Judge.	Yearly.	By 20th day of April.
50	Annual statement (consolidated) showing the number of probates, letters of administration and certificates issued.	344	District Judge.	Registrar, High Court.	High Yearly.	By 10th day of May.
51	Annual report on administration of civil justice.	352	District Judge.	Registrar, High Court.	High Yearly.	By 15th day of February.
52	Confidential remarks about subordinate judicial officers.	353	District Judge.	Registrar, High Court.	High Yearly.	By the end of February.
53	Annual Return of all landed property acquired or parted with by the District Judge and by all the subordinate judicial officers during the preceding calendar year.	358	District Judge.	Registrar, High Court.	High Yearly.	By 20th day of January.
54	Annual Return of the landed property held by the judicial officers appointed during the preceding calendar year.	358	District Judge.	Registrar, High Court.	High Yearly.	By 20th day of January.
55	A list of immediate blood relations and immediate connections of the judicial officers appointed during the preceding calendar year with the names and places of residence.	359	—do—	Registrar, High Court.	High Yearly.	Between April and June 30.
56	Annual report about adequacy of securities.	393	Librarian.	Presiding Officer.	Yearly.	By 15th day of January.
57	Annual Report of the result of checking catalogue of the library.	443	Receiver.	Presiding Officer.	—do—	By 20th day of April.

Form not prescribed.

Form not prescribed.

Form not prescribed.
—do—

58	properties. Annual indent of printed non-saleable forms. Annual indent of the printed non-saleable forms for the District Court along with the annual indents received from the courts subordinate thereto.	468	Subordinate Courts	District Judge.	--do--	By 15th day of January.
59	Annual statement of saleable forms Annual statement of saleable forms of the District Court together with the statement of the courts subordinate thereto. 60 Annual return of the certificates of pleadings renewed by the District Court A copy of the Annual Return of the Certificates of pleadings renewed.	468	District Judge	Registrar, High Court.	--do--	By 1st day of March.
61	A list of pleadings who did not apply for renewal of certificates, or to whom a renewal was refused. A copy of the list of pleadings who did not apply for renewal of certificates, or to whom a renewal was refused. 62 Report by the Head Copyist when the copying work falls off and every copyist cannot be fully employed. 63 Report of every enrolment and re-enrolment of a pleader by District Judge.	470	Subordinate Courts	District Judge.	--do--	By 15th day of April.
		470	District Judge	Superintendent Government Press.	--do--	By 30th day of April.
		538	District Judge	Registrar, High Court.	--do--	By the 20th day of January.
		538	--do--	District Magistrate.	--do--	--do--
		538	District Judge	Registrar, High Court.	--do--	By 20th day of January.
		538	District Judge	District Magistrate.	--do--	By 20th day of January.
		244	Head Copyist.	District Judge.	Occasional	Whenever the work falls off.
		533	District Judge	Registrar, High Court.	Occasional	Within one week of enrolment
						Form not prescribed.
						--do--

64	Report of inspection of subordinate courts by a District Judge.	606	District Judge	Registrar, High Court.	Within one week of the inspection.	Form not prescribed.
65	Report of inspection of his office by a judicial officer.	607	Presiding Officer.	District Judge.	--do--	--do--
66	Report of inspection of a department under a District Judge by a Judicial Officer appointed as officer in charge of such department.	608	Judicial Officer in charge of a department, under the District Judge	District Judge.	--do--	--do--
67	Report of inspection of work of the staff of a court by a Munshim.	609	Munshim.	Presiding Officer.	Soon after the inspection.	--do--
68	Report of casualty among gazetted judicial officers.	612	District Judge	Registrar, High Court.	Soon after the occurrence of casualty.	--do--
69	Statement of business pending in to the Court of the officer applying for leave.	619	District Judge	Registrar, High Court.	To be forwarded with the application for leave.	
70	Transmission of a copy of register of casual leave taken by a Judicial Officer subordinate to a District Judge when he is transferred to another district.	621	District Judge from whose jurisdiction the Judicial officer is transferred.	District Judge to whom jurisdiction the Judicial Officer is transferred.	Within one week of the transfer.	
71	Report of loss of key of safe.	623	District Judge.	Registrar, High Court.	Immediately after the loss of key is noticed.	Form not prescribed.

APPENDIX D. (Continued).

(2) Specimen forms of Returns (Statements) and Reports prescribed by the General Rules (Civil), 1952.
RETURN No. 1

Weekly Certificate of Check of Nazir's Cash Balances.
(Rule 293).

I certify that I have personally examined the registers kept by the Nazir and counted the cash balance in the hands of the Receiving Officer and have found the same to be correct.

RETURN No. 2.
Monthly Attendance Register of Subordinate Courts (at Headquarters) and true copies of such
Registers of out-lying Courts.

OR

Copy of the District Judge's Monthly Attendance Register.
(Rule 12).

Date	Time of arrival		Time of departure		Remarks.
	In Chambers	In Court	From Court	From Chambers	
		3	4	5	
				6	

RETURN No. 5.

Monthly extract from the Register of Receipts of deposits of the court of..... for the month of.....195
(Rule 288)

No.	Date of receipt	Name of court	No. of deposit	from whom received
1	2	3	4	5

Nature of each deposit	Amount of each deposit			Daily Total		
	Rs.	As.	P.	Rs.	As.	P.
6	7			8		

FOR USE									
In		the		year		of		receipt	
April	May	June	July	August	Sept.	Oct	Nov.	Dec.	Jan.
9	10	11	12	13	14	15	16	17	18

IN THE ACCOUNTANT													
In the first year following the year of receipt													
Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March
19	20	21	22	23	24	25	26	27	28	29	30	31	32

GENERALS		OFFICE.	
Total repayment of each receipt.	Balance of each deposit.		Remarks.
	Lapsed.	Transferred to clearance Reg.	
33	34		35

RETURN No. 6
Monthly extract from the Register of Repayments of Deposits.
(Rule 288)

Serial number.	Date of repayment.	Details of deposit.			Amount repaid	Daily total.	Remarks.
		Name of Court.	Date of deposit	Number of deposit			
1	2		4	5	6	7	8

RETURN No. 7
Monthly Plus and Minus Memorandum
(Rule 288)
Monthly consolidated Plus and Minus Memorandum
(Rule 290)
Copy of the monthly consolidated plus and minus memorandum (Verified by Treasury Officer together with copies of the related monthly extracts.
(Rule 291)

Court	Opening balance	Receipts during the month	Total	Repayments during the month	Closing balance	Remarks.
1	2		4	5	6	7

RETURN No. 9 (PART I)

Monthly statement of work done in the Court of.....
(Rule 346)

Statement of work of Shri.....for
the month of.....195 .

Working days calculated as under :—

Number of days in the month.....

Less

Sundays and holidays leave days.

Saturdays reserved for Execution and Miscellaneous cases.

For other reasons to be stated.

Balance of working days for Judicial work (Except execution and Miscellaneous.)

Work done according to the Standard fixed :—

	*Number of cases decided	Number of working days for which credit is (due.
1. Criminal		
(i) Culpable homicide including murder, riot and dacoity cases:—		
(i) Murder cases		
(ii) Culpable homicide, riot and dacoity cases.		
(iii) Other sessions cases.		
(ii) Ordinary Sessions		
(iii) Section 75 cases		
(iv) Represented Appeals etc		
(v) Jail Appeals or Revisions		
(vi) Long Sessions Cases		
(vii) Summary trials where there is a plea of guilty		
(viii) Other summary trials		
(ix) Summons cases where there is a plea of guilty		
(x) Other summons cases		
(xi) Warrant cases where there is a pleas of guilty		
(xii) Other warrant cases		
(1) not involving riot		
(2) involving riot		

* This refers only to cases decided on contest after full trial except in regard to item II (iv) and (vi) (b).

These are to be included only in the month in which the long cases are decided. Details of the work done should be noted separately.

These are not to include suits decided 'otherwise,' that is, in default or compromise, etc.-

- (xiii) Inquiry in commitment cases.....
- (1) not involving riot|.....
- (2) involving riots|.....

2. Civil.

- (i) Regular suits upto Rs. 2,000-
- (ii) Regular suits from Rs. 2,001/- to Rs. 5,000/-
- (iii) Regular suits above Rs. 5,000/-
- (iv) Suits decreed exparte
- (v) Long civil suits
- (vi) Small Causes Courts suits:
- (a) After full trial
- (b) Otherwise
- (vii) Original suits cognizable by District Judges not coming in the above categories
- (viii) Land acquisition cases
- (ix) Probate cases
- (x) Election Petitions
- (xi) Regular Appeals in suits decided after trial
- (xii) All other appeals including appeals in suits decided under O. 17. R. 3.

Total... ..

RETURN No. 9 (PART II).

Monthly Statement of work done in the Court of.....

Rule 346.

Statement for the month of.....

Name of the Presiding Officer.....

Kind of cases.	Before the Court during the month				Disposed of during the month.				Pending at the end of the month.					Remarks.
	Pending from the last month.	Instituted during the month.	Received by trans- for or otherwise.	Total.	After full trial.	Otherwise.	By Transfer.	Total.	Below six months.	Over six months but below one year.	Over one year but below 3 years.	Over 3 years.	Total.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Sessions Trials :

- (a) Murder cases.
 - (b) Culpable homicide, riot and dacoity cases.
 - (c) Other sessions cases.
-

Criminal Appeals.

Criminal Revisions.

Criminal Miscellaneous.

Magistrate's cases :—

- 1. Summary trials.
 - 2. Summons cases.
 - 3. Warrant cases.
 - 4. Inquiry in
commitment
cases.
-

Original :

- (a) Civil Suits.
 - (b) Small Causes.
-

Civil Appeals :

- (a) Regular.
 - (b) Miscellaneous.
-

Execution cases :

- (a) Civil.
 - (b) Small Causes.
-

Miscellaneous cases.

- (a) Civil.
 - (b) Small Causes.
-

RETURN No. 10.

Monthly list of cases in which judgments were delivered with delay.
(Rule 350)

Name of Court	Number and date of institution	Last date on which evidence, oral or documentary was closed	Date or dates of hearing arguments	Date of delivery of judgment	Brief explanation of delay.
1	2	3	4	5	6

RETURN No. 11.

Monthly statement showing the grand totals of amounts of receipts under head XXI Administration of Justice.

(Rule 360)

Name of month.....

Name of the Court	Pass Book Treasury Voucher			Date	Head XXI	of Revenue Administration										Receipts Justice		IX Stamps	Remarks.	
	S. No.	Date	Number			Court fee realised in cash	General fees fines and forfeitures	Miscellaneous fees and fines		Miscellaneous	Reco-veries of over-payments rendered for ser-vices rendered	Collection of pay-ments								
								Record Room Receipts	Other Receipts											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	Stamp duty and penalty	15	16	17	18	19	20

RETURN No. 13.
Monthly statement of work done by Amin.
(Rule 497)

1	Name on Amin.															
2	Number of processes pending execution from last month.		Number of processes received during the month.		4	Total.		Number of processes executed within the first date fixed.		Number of processes executed within time extended by the Court.		Number of processes which were executed and returned after the date fixed without obtaining extension.		Number of processes returned un-executed.		
9	In which the time first fixed has not expired.		In which the time first fixed has expired, but the extension allowed has not expired.		In which the time fixed has expired, and no extension has been granted.		Total.		Explanation of each process which was not executed within the first date fixed.						Remarks.	
10	In which the time first fixed has expired, but the extension allowed has not expired.		In which the time fixed has expired, and no extension has been granted.		Total.		Explanation of each process which was not executed within the first date fixed.						Remarks.			

Note:—A certificate in the following form will be attached by the Amin at the foot.—
“The Amin visited each beat on the prescribed date. No departure from the rules was made.”

RETURN No. 14.
Copy of diary of Amin for preceding month.
(Rule 503)

(June 30)		
Date	Short memo of business done to be recorded daily and appointment and removal of any temporary labour or servant to be noted.	Remarks.
1	2	3

RETURN No. 15.
Monthly Return of sums realised by Amin.
(Rule 503).

Date of receipt	Serial number shown in proceedings register	Number and date of order of court		Names of parties	Amount	On what account	Date of payment into Treasury or sub-treasury	Remarks.
		Number	Date					
1	2	3	4	5	6	7	8	9

RETURN No. 16.
Monthly statement of movable property attached under the orders of the court, remaining under the Custody of the Amin or in that of an Intermediate Custodian.
(Rule 503).

Serial Number	Date of receipt	Date of order of court	Names of parties	Description of the property	Name of reputed owner	Why property was not disposed of during the month
1	2	3	4	5	6	7

RETURN No. 17.
Quarterly list of cases, in which Part C is veeled out and in which there are cumbersome and bulky exhibits which have not been put up with the Record of the Trial.
(Rule 175)

Serial number	Name of Court	Number and year of the case	Date of decision	Name of parties	Name of pleader	Number and description of exhibits	Name and address of the person by whom produced	Remarks
1	2	3	4	5	6	7	8	9

RETURN No. 20.
Quarterly statement showing the result of the trial of civil suits in courts of original jurisdiction
(Rule 345)

Name of Presiding Judge & Class of Court	Number of suits before the Court																	Number of suits disposed of		Number of suits pending					Remarks
	Pending from last quarter	Instituted in current quar	Received by transfer.	Received otherwise	Total for dispo- sal	Transferred to other Courts	On reference to arbitration	Disposed of otherwise	After full trial	Total	At the close of quarter	Up to e year old	Over one year but below three years	Three years old & over	Number of work- ing days of each officer during the quarter										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17									

RETURN No. 21.
Quarterly statement showing the result of proceedings on applications for Execution of Decrees and orders
(Rule 345)

Name of presiding Judge and class of Court.	Number of applications dealt with					Pending at close of quarter					Remarks .		
	Filed		Restored to the file for any cause.			Total.		Applications disposed of					
1	2	3	4	5	6	7	8	9	10	11	12	13	
	Pending from last quarter	The decrees or orders being those of the court where execution is taken out.	The decrees or orders being those of other courts transferred for execution.	Restored to the file for any cause.	Total.	Applications disposed of	Transferred under section 39 of the Civil Procedure Code.	In the court.	Total	Number of application pen- ding more than six months and close of quarter.	Number of applications pen- ding more than a year at close of quarter.		

RETURN No. 22
Quarterly statement showing the business of Civil Appellate Courts in appeals from Decrees and Orders.
 (Rule 345)

Name of presiding Judge and class of Court.	Number of appeals before the court				Number of appeals disposed of										Number of appeals.				Remarks.	19
	Pending from last quarter.	Instituted	Otherwise received	Total for disposal	Transferred to other courts.	Summarily rejected	Order XLI, rule 11	Dismissed or not prosecuted	Disposed of after hearing					Total of Columns 6-12 i. e., disposed of	Pending at close of quarter.	Pending more than three months at close of quarter.	Pending more than six months at close of quarter			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19		

RETURN No. 23.

Quarterly statement of injunctions and stay orders issued by Court.
 (Rule 345)

Name of Court	Number of applications for injunctions and stay orders.					Number in which <i>ex parte</i> orders were made.					Number in which notice was issued but <i>ex parte</i> order was made.					Number of <i>ex parte</i> orders maintained after contest.					Number of <i>ex parte</i> orders discharged after contest					Remarks.
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26

RETURN No. 24
Quarterly list of pending regular suits stayed by orders passed by the High Court
(Rule 345)

Serial number	Number and year of case	Names of parties	Date of institution	Number and date of High Court stay order	Number and year of High Court Appeal in which stay order passed	Remarks.
1	2	3	4	5	6	7

RETURN No. 25
Quarterly list of pending execution cases stayed by the High Court.
(Rule 345)

Serial number	Number and year of case	Names of parties	Date of institution	Number and date of High Court stay order	Number and year of High Court Appeal in which stay order passed	Remarks.
1	2	3	4	5	6	7

RETURN No. 26.

Quarterly statement explaining the delay in suits pending over one year.

(Rule 345).

1. In the Court of.....
2. Names of presiding officers of Court
(with dates)
3. Suit No..... of.....instituted
on.....
4. Names of the parties showing the num.....and.....others.....
ber on each side Versusand.....other
5. Date originally fixed for first hearing.....
6. Number of defendants; if any, added after
the institution of the suit, with date of
such addition....
7. Places outside the jurisdiction of the court,
if any, in which any of the defendants
reside
8. Number of defendants, if any, who are
minors.....
9. Date of completion of appointment of
guardians *ad litem*, if any, to minor
defendants.....
10. Dates fixed for the framing of issues.....
11. Date on which issues were framed.....
12. Date originally fixed for the commencement
of the hearing of evidence.....
13. Commissions issued, if any, for the exami-
nation of witnesses giving dates of issue
and return in each case, and where the
witness resides outside the jurisdiction
of the court, giving the place and the
district or State in which such witness
resides.
14. Reference, if any, to arbitration. Date
- Date of submission of, or of superseding,
the award
- Date of objection, if any, to the award.....
- Date of decision of objection, with result.....
15. Dates originally fixed for hearing on
which there was no hearing, giving for
each date the number of witnesses, if
any, in attendance and brief reasons for
adjournment.

RETURN No. 26 (*Continued.*)

16. Dates on which the evidence of witnesses was actually heard, with number of witnesses.

For Plaintiffs.

For defendants.

17. Date fixed for next hearing.

18. Order of Superior Court.

(The entries below this line be printed on the reverse of the working size from).

19. Dates on which case was put up subsequent to the first submission of the return.

20. Date on which arguments were closed.

21. Date fixed for delivery of judgment.

Brief note of action taken and orders passed, with reasons for adjournment, if any.

Note :- 1. The explanations should be concise yet clear, and reference should not be made to explanations given in previous quarterly statement relating to the pending case, but the particulars should show the proceedings taken from the date the suit was filed to the date on which it was disposed of.

2. Column 18-The District Judge should pass orders in case of unusual delay.

3. A separate form should be used for each pending case.

4. The year should be computed from the date the case was originally instituted.

5. The explanation shall be sent to the High Court only in the case of original suits pending over one year.

6. The form must be submitted by subordinate courts at the end of each month to District Judge who will examine them carefully and check any dilatory procedure.

7. Columns 19-21 If the space provided for column 19 is insufficient for a particular case, columns 20 and 21 should be scored out. In this case, the continued entries for column 19 and the entries for columns 20 and 21 should be written on the reverse side of a new sheet.

No explanations are required in the case of :-

- (1) Suits to which order IX, rule 5, Act. No. V of 1908 applies, the number of which should be shown in column No. 41 of return No. 35.

- (2) Applications for execution, where the decrees are being satisfied in instalments by attachments from salary; the number of such applications should be shown in column 26 of Return No. 42.

Special attention is directed to the point that the entries in these forms of explanation should be precise and clear. The dates on which orders were passed should be written clearly above the orders in column 3, and close and minute writing should be avoided.

RETURN No. 27.

Quarterly statement explaining the delay in execution applications pending over one year.

(Rule 345)

Date.....Application

Date.....Process issued

DateReason why unfruitful

Date.....Process issued.

Date.....Reason why unfruitful

Why now pending

Order of superior court.

(Notes printed on reverse of form)

1. The notes should be very concise yet clear.
2. "Process issued." "Reason why unfruitful." These entries must be continued till the application is disposed of.
3. "Order of superior Court." The District Judge should pass orders in case of unusual delay.
4. A separate form should be filled up for each pending application.
5. The explanation should be sent to the High Court only in case of execution cases pending for over a year. (Also see note on Return No. 26).
6. The following sample will show the proper method of preparing a form of explanation.

(Continued.)

RETURN No. 27. (Contd.)
CASE No. 475 of 1910.

Explanation of execution cases pending more than one year.

Date of application	Mode in which execution is sought for	Nature of orders passed and date	What processes issued and when	Date of execution of successive processes	Reasons for such processes being unfruitful	Date of application for time by either party with reasons thereof and whether granted	For what reason now pending	Remarks	Order of Superior Court
1	2	3	4	5	6	7	8	9	10
July 14, 1910.	By attachment and sale of judgment-debtor's property	<p>July 14, 1910 Warrant of attachment issued and August 22 fixed. August 22, 1910 Sale notice issued November 6 fixed. September 25, 1910 Judgment-debtors raised an objection, September 26 fixed. September 26, 1910 Objection disallowed. October 1, 1910 Sale postponed by order of appellant Court Nov. 6 fixed. October 25, 1910 Records received back and Talbana called for, October 31, fixed.</p>	<p>Warrant, July 11, 1910 Sale notice August 22, 1910</p>	<p>September 1, 1910 September 9, 1910</p>	<p>As appeal preferred sale was postponed by order of appellate court</p>		Talbana Called for		

RETURN No. 28.

Quarterly statement of receipts from search fees, inspection fees, copying charges and of the salary of establishment employed.

(Rule 349).

Court	Receipts					Gratias business charges remitted	Total of columns 6 and 7	Disbursements of salaries of copyists	Results				REMARKS.
	Charges for ordinary copies	Charges for extra copies	Inspection Fees	Receipts from search fees	TOTAL				Surplus including gratias business	Deficit including gratias business	Actual surplus	Actual deficit	
1	2	3	4	5	6	7	8	9	10	11	12	13	14

RETURN No. 30.

Quarterly accounts of deposits and cash balances in respect of all the estates for which there is a receiver.
(Rule 436).

Date	Name of estate	Total amount of deposit in Court	Total amount in deposit in Bank 'with name of Bank				Cash in hand	Total of columns Nos. 3, 7 and 8.	REMARKS
			In fixed deposit	In savings Bank account	In Current account	TOTAL			
1	2	3	4	5	6	7	8	9	10

RETURN No. 31.

Quarterly accounts of all the receipts and disbursements in the case or cases in which there is a receiver.
[Rules 437 and 443 (8)]

1	2	3	4	5	6	7	8	9	10
Serial number	Name of estate	Opening balance at the commencement of the quarter.	Receipt during the quarter.	Total	Remuneration of Receiver section 57 (4)	Charges other than creditors' claim-Section 62 (1) (d)	Creditor's claims satisfied-section 62 (2).	Total disbursement during the quarter.	Balance at the end of the quarter.

RETURN No. 33.

Annual list of lapsed deposits credited to Government.
(Rule 295)

1	2	3	4	5	6	7	8	9	10	11	12
Serial Number	Date of deposit	Name of Court	From whom received	Number and year of case	Names of parties	Amount of deposit	Total amount repaid	Balance remaining in deposit and lapses and credited to Government	Number and date of refund	Amount of refund sanctioned	Remarks

RETURN No. 34
Annual Clearance Register.
(Rule 298)

1	Date	2	3	4	5	Details of repayments (to be posted in Accountant General's Office)												30	31												
		Number of each deposit	Name of person from whom received.	Nature of each deposit	Balance of each deposit	In the second year after receipt						In the third year after receipt						Total repayments on each deposit	Balance of each deposit lapsed and credited to Government.												
						April	May	June	July	August	September	October	November	December	January	February	March														
						6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29		
						April	May	June	July	August	September	October	November	December	January	February	March														

RETURN No. 35.

Annual statement showing the general result of the trial of civil suits.
(Rule 344)

Name of Presiding Judge and class of Court	Number of suits, before the court								Number of suits disposed of												By arbitration		
	Without trial								Without contest				After full trial										
	Pending at the begin- ing of the year	Instituted during the year	Received by transfer from other courts	Remanded (Order XLI, rule 23)	Reviewed (Order XLVII, rule 40)	Revised (Order IX, rules 4, 9 and 13 and Order XXII, rule 9)	Total		Under order IX, rules 3 and 8	Otherwise	Aggregate number of days suits re- mained pending	Average duration of suits	Ex-parte.	On admission	On compromise	Aggregate number of days suits re- mained pending	Average duration of suits	Judgment for plaintiff	Judgment for defen- dant	Aggregate number of days suits re- mained pending	Average duration of suits	Number	Aggregate number of days suits re- mained pending	Average duration of suits
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24

(continued).

(continued).

RETURN No. 35 (Continued).

Number	25	26	27	28	29	30	31	32	33	34	35	Total	Number of suits not disposed of at first hearing for final disposal	Highest number of adjournments for any case entered in Column 36	Average number of adjournments in each case entered in Column 36	Number of decrees appealed against during the year	Number of judgments reversed or modified during.....	Remarks.
By transfer	Aggregate number of days suits remained pending		Average duration of suits															
	Aggregate number of suits disposed of (total of columns 9, 10, 13, 14, 15, 18, 19, 22, and 25).		Aggregate number of days suits remained pending		Average duration of all suits disposed of													
	For not over three months		For over three months but not over six months		For over six months but not over one year		For over one year		Total		Number of suits pending							

RETURN No. 36

Annual statement showing the number and description of suits instituted

(Rule 344)

Name of presiding Judge and class of court	Suits for money or movable property.	Suits for immovable property	Suits for specific relief.	Suits to establish a right of pre-emption	Mortgage suits	Suits relating to religious and other endowments	Matrimonial suits. *	Testamentary suits @	Other suits not falling under any of the previous heads%	Total	REMARKS
1		3	4	5	6	7	8	9	10	11	12

* This statement is meant to show new institutions only, and not suits received by transfer or on remand, review or revival.
 @ Uncontested probate cases are not to be entered as suits, but as Miscellaneous Cases (Judicial).
 % Give in column 12 details showing the nature of the suits entered here.

When a Subordinate Judge or Munsif is invested with the powers of a Judge of a Court of Small Causes or when a Judge of Court of Small Causes is invested with the powers of a Subordinate Judge, separate details must be given in reference to each jurisdiction.

**Annual statement showing the number and value of suits instituted,
(Rule 344)**

NOTE:—When a Subordinate Judge or Munsif is invested with the powers of a Judge of a Court of Small Causes, or when a Judge of a Court of Small Causes is invested with the powers of a Subordinate Judge, separate details must be given in reference to each jurisdiction.

RETURN No. 38.
Annual statement showing the mode of disposal of miscellaneous cases (Judicial).
(Rule 344).

Name of Presiding Judge and class of Court		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	25	26	27	28	
Number of Suits before the Court		Pending at the beginning of the year		Instituted during the year		Revived during the year		Otherwise received		Total																			
		Number		Aggregate number of days suit remained pending		Number		Aggregate number of days suit remained pending		Number		Aggregate number of days suit remained pending		Number		Aggregate number of days suit remained pending		Judgment for plaintiff		Judgment for defendant		Aggregate number of days suit remained pending		Number		Aggregate number of days suit remained pending		Number	
		Under order IX, rules 3 and 8 C.P.C.		Otherwise								Ex parte		On admission of claim		Compromised				After full trial		On reference to arbitration.		By transfer.					
Number of suits disposed of		Total of columns 7,9,11,13,15,17,18,21 and 23 i.e. disposed of																											
		Pending at the close of																											
		Pending more than a year at the close of																											
		R E M A I N S .																											

R E M A R K S .

NOTES:—(1) When a Subordinate Judge or Munsif is invested with the powers of a Judge of a Court of Small Causes, or a Judge of a Court of Small Causes is invested with the powers of a Subordinate Judge, separate details must be given in reference to each jurisdiction.

(2) Application under the Provincial Insolvency Act, V of 1920, are not to be entered in this statement.

RETURN No. 39A

Annual Return of Revision cases under the Gram Panchayat Act.

Nature of proceedings (Civil or Criminal)	Number of revisions pending from last year.			Number of revisions instituted during the year.			Number of revisions disposed of during the year.				Total.	Average duration of each case.	Remarks
	1	2	3	4	5	6	7	8					
	Number of revisions pending	Number of revisions instituted during the year.	Rejected.	Decision Confirmed	Decision or order modified.	Decision or order reversed		Number of revisions pending at the close of the year.	Number of cases pending for over six. months.	Aggregate number of days during which the cases entered in column 8 lasted.			
	1	2	3	4	5	6	7	8	9	10	11	12	13

RETURN No. 40.

Annual statement showing the business of Civil Appellate Courts in Miscellaneous Appeals (Judicial).
(Rule 344)

[illegible]

RETURN NO. 40 (Contd.)

20	21	22	23	24	25	Number of Appeals		27	28
Number	Aggregate number of days appeals remained pending	Aggregate number of days appeals remained pending	Total of columns 9, 12, 15, 16, 17, 18, and 20, i. e. disposed of.	Aggregate number of days appeals remained pending	Average number of days appeals remained pending.	Number of Appeals		Pending at the close of the year	Pending more than one year

RETURN No. 42.
Annual statement showing the result of proceedings on applications for execution of decrees and orders.
(Rule 344)

1. of Presiding Judge and class of Court.		Number of applica- tions dealt with.					Applica- tions disposed of		Pending at close of		Details of entries in column 7.							Amount realised.		Number of applications.		Remarks.	
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Pending from last.	The decrees or orders being those of the Courts where execution is taken out.	The decrees or orders being those of other courts transferred for execution.	Restored to the file for any cause.	Total.	Wholly or partly satisfied.	Wholly infructuous.	Transferred to another court under Section 39.	In the court	Total.	Number of applications pending more than three months at close of	Number of applications pending more than a year at close of	Statistification obtained in full.	Statistification obtained in part.	Statistification obtained through the court.	Adjusted under Order XXI, rule 2.	Statistification obtained with the issue of process.	Statistification obtained without the issue of process.	With the issue of process.	Without the issue of process.	On which the judgment-debtor was imprisoned.	On which he was arrested under Section 55, but released without imprisonment	On which salary of public officer or railway servants was, for the first time, ordered to be withheld under order XXI, rule 48.	Remarks.

(Contd.)

When a Subordinate Judge or Munsif is invested with the powers of a Judge of a Court of Small Causes or when a Judge of a Court of Small Causes is invested with the powers of a Subordinate Judge, the details of proceedings on applications in the exercise of each jurisdiction must be given separately.

In preparing this annual statement the following instructions shall be observed:—

1. This statement deals only with cases in which a written (order XXI rule 10 of Act No. V of 1908) or oral (order XXI, rule 11) application for execution has been made: an application under order XXI, rule 2, should not be entered unless there has also been an application for execution. An application for withdrawal of money deposited in Court should not be included in this statement.

2. Oral applications under order XXI, rule 11, are to be entered among applications filed.

3. *Column 4*:—The following cases only are to be entered: (1) those in which, after transfer, an application has been made for execution under order XXI, rule 10, and (2) those in which a decree or order has been transferred for execution by a superior Court to a subordinate Court. Applications under section 39 simply for the transfer of decrees or orders to other Courts for execution are not applications for execution, and whether granted or refused should not be shown in this statement.

4. *Column 8*:—Applications held to be barred by limitation and cases in which execution proceedings were infructuous should be included in this column.

5. *Column 9*:—If after proceedings have been commenced on an application for execution the decree or order is sent to another Court under clauses (a) to (d) of section 39 (1), the application will be shown in this column when no satisfaction of the decree has been obtained on the application in the transferring Court. When the transfer is made after part satisfaction has been obtained on the application, the application will be shown as disposed of columns 7 and 16.

6. *Column 18*:—Applications notifying adjustment out of Court, Order XXI, rule 2, should be entered in this column if there has been a previous application for execution, but not otherwise.

RETURN No. 43.
Annual statement of injunctions and stay orders issued by Courts.
(Rule 344)

Name of Court	Number of applications for injunctions and stay orders.	Number rejected without issue of notice.	Number in which <i>ex parte</i> orders were made.	Number in which notice was issued but no <i>ex parte</i> order was made.	Number of <i>ex parte</i> orders maintained after contest.	Number of <i>ex parte</i> orders discharged after contest.	Remarks.
1	2	3	4	5	6	7	8

RETURN No 44

Annual statement showing the number and result of insolvency petitions and the number of insolvents.
(Rule 344).

Class of court	Insolvency Petitions														
	Number dealt with			Number disposed of											
	Presented during year			By order of adjudication under sections 27 & 28											
				Under arrest or imprisonment						Receiver not being appointed					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Pending at the close of previous year			By creditors	Received by transfer	Total	Transferred	Withdrawn under Section 14	By composition or scheme of arrangement under section 38		Receiver not being appointed	Dismissed under sections 25 and 26	Total	Debtors sentenced under section 69	Undischarged insolvents sent for trial under section 72 (2)

Class of court

Debtors adjudged to be insolvent									
Number before the Court		Discharged		Died		Transferred		Total	
Number before the Court	Discharged	Absolutely under Section 41 (2) (a)	Conditionally under Section 41(2) (c)	Absolutely under Section 41 (2) (a)	Died	Transferred	Total	Number before the Court	Discharged
17	18	19	20	21	22	23	24	25	26
Remaining undischarged at close of previous year.	Undischarged received by transfer	Adjudged to be insolvent during year	Total						

Annual statement of proceedings in
and progress made in winding them up.

(Rule 344)

[illegible]

RETURN No. 46.

Annual statement showing the number of process serving poons employed and the fees received for their services.

(Rule 344)

1	Officer-in-charge of process office.	2	Number of processes served.		Fees paid for						10	11	12	Salaries of				Remarks.	
			Aggregate.	Average per peon.	Summons served or notices		7	8	9	Gross fees realised.				Refunds.	Net fees realised.	Nazir and staff	including Chaprasies.		Process-servers.	Total.
16	15	14	13	12	11	10					9	8	7			6	5	4	3

RETURN No. 47.

Annual statement showing the number of persons summoned and examined.

(Rule 344).

Name of presiding Judge and class of Court.	Number of parties.		Number of witnesses.					Remarks.
	Ordered to attend personally under order V, rule 3.	Examined under Order X, rule 2.	Of those entered in Column 2.	Other than those entered in Column 2.	Appearing in obedience to summons.	Examined out of those summoned (column 5).	Examined other than those summoned (column 5).		Appearing in obedience to summons, but not examined on the day they attend or the following day.
1	2	3	4	5	6	7	8	9

RETURN No. 48.
Annual statement showing the income and expenditure of Civil Courts.
(Rule 344).

Name of Presiding Judge and class of Court	Income.								Expenditure					Remarks.		
	Net value of Court-fee stamps (exclusive of those used to denote Process-fees)	Duty and penalties on instruments not duly stamped	Fines	Fees for employment of Amins	Other fees	Judicial Record Fund.	Receipts under other budget heads	Total	Salaries of officers and their establishment, half the salaries of the District and Sessions Judges and their subordinates, who are employed on the Criminal as well as the Civil side, being entered.	Process-serving establishment	Amin establishment	Judicial Record files	Total			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

RETURN No. 49.
Annual statement showing the number of probates, letters of administration and certificates issued.
(Rule 344)

Declared value of assets	Remarks.												
	1	2	3	4	5	6	7	8	9	10	11	12	13
Not exceeding Rs. 1,000		Number of probates or letters of administration with Will annexed	Court fees paid on column 2 (article, 11, schedule 1 of Act No. VII, 1870 as adapted to Rajasthan).	Number of letters of administration without Will annexed.	Court fees paid on column 4 (article 11, schedule 1 of Act, No. VII of 1870 as adapted to Rajasthan).	Number of certificates under Section 374 of Act No. XXXIX of 1925.	Court fees paid on column 6 at 2 per centum (article 12, schedule 1 of Act No. VII of 1870 as adapted to Rajasthan).	Number of certificates extended under section 376 of Act No. XXXIX, 1925	Court fees paid on column 8 at 3 per centum (article 12, schedule 1 of Act No. VII of 1870 as adapted to Rajasthan).	Number (columns 2, 4, 6 and 8).	Amount of fees (columns 3, 5, 7 & 9)	Number of letters of administration cancelled and fresh letters issued in lieu of the original.	
From Rs. 1,000 to Rs. 5,000													
From Rs. 5,000 to Rs. 10,000													
From Rs. 10,000 to Rs. 50,000													
From Rs. 50,000 to Rs. 1,00,000													
Above Rs. 1,00,000													

In submitting this annual statement the figures for the Courts subordinate to the District Judge should be embodied in the District Judges' return, and in order to facilitate the preparation of this statement, the statement, the amount for which the probate or certificate, etc., is granted, should be entered in column 8 of the Register of Court fees and process fees (Register No. 63).

RETURN No. 51.

Confidential Remarks about Subordinate Judicial Officers.
(Rule 353).

Name of Officer.....
 Year of report
 How employed.....

(The report should comment generally on the way in which the officer has carried out his various duties during the year and should give an estimate of his personality, character and abilities, making particular mention of his capacity as a Judicial Officer, his method of work, time taken in the disposal of cases, the soundness of his judgment, control over his subordinates and his relations with the bar. It should also contain an integrity certificate and an opinion on any point specially required at any particular time, e. g., fitness to pass an efficiency bar and in the case of officers of 15 years' standing and above, fitness to hold a senior post).

(1) Remarks by the District Judge.

RETURN. No. 52.
Annual return of all landed property acquired or parted with by the District Judge and by all the subordinate Judicial Officers during the preceding calendar year.
(Rule 358)

Name	Appoint- ment	Village or town, Tehsil and District	Area in acres (in case of agricultural land) or square yards	Revenue assessed	Estimated Value	Whether acquired or parted with	How acquired or parted with	From whom acqui- red or parted with	Remarks.
1	2	3	4	5	6	7	8	9	10

RETURN No. 53.
Annual return of the landed property held by the Judicial Officers appointed during the preceding calendar year.
(Rule 358).

Name	Appointment	Property held in			Area in acres (in case of agricultural land) or square yards	Acquired or ancestral	Annual revenue assessed	Estimated Value	Remarks.
		Village or town	Tehsil	District					
1	2	3	4	5	6	7	8	9	10

RETURN No. 55.
Annual report about adequacy of securities.
(Rule 359)

Name of Court	Name of public accountant	Designation	Amount of security given		When value of landed property last verified	Notes or Cash where lodged	Security had where lodged	Have the provisions of the rules been duly observed	REMARKS.
			Value in promissory notes or Cash	Value in landed property					
1	2	3	4	5	6	7	8	9	10

RETURN No. 58.

Annual indent of printed non-saleable forms
(Rule 468)

Name of Court.....

Serial Number	Number and description of printed non-saleable forms	Estimated annual requirements	Quantity in stock on.....	Quantity indented	REMARKS.
1	2	3	4	5	6

NOTE:—Forms enough to last a whole year and to leave a margin of three month's consumption at the end of the year (after taking existing stock into account) should be indented.

RETURN No. 61.
A list of pleaders who did not apply for renewal of certificates, or to whom a renewal was refused.
(Rule 538).

Number in High Court's register and year of admission.	Name and degrees, if any.	Father's Name	Place where Practising	Date of the last renewal	Whether application for renewal made, and if so, on what date	If renewal refused, abstract of reasons for refusal.	Remarks.
1	2	3	4	5	6	7	8

RETURN No. 69.
Statement of business pending in the court of the officer applying for leave.
(Rule 619).

Name of the Officer	Designation	Period of leave applied for	Commitment	Criminal appeals	Other criminal cases	Original suits	Execution cases	Civil appeals	Other civil cases	Remarks
1	2	3	4	5	6	7	8	9	10	11

RETURN No. 70.
Transmission of a copy of register of Casual Leave of a Judicial Officer subordinate to a District Judge when he is transferred to another District.
(Rule 621).

Leave taken during the year.

Serial No.	Name of the officer													
	14	13	12	11	10	9	8	7	6	5	4	3	2	1

APPENDIX E.

List of printed forms authorised by the High Court for use in District and Subordinate Civil Courts which may be obtained from the Government Press on indent.

Part and number.		appendix and number of form in the General Rules (Civil), 1952.	Description of form
PART I—Judicial—Civil			
Forms (General) under the General Rules (Civil), 1952 (Vide Appendix B).			
I	1	B 2	Receipt slip for petitions.
I	2	B 3	List of documents produced by plaintiff/defendant (order XIII, rule 1 of the Code).
I	3	B 4	General Index.
I	3A	B 4A	Part-wise Index.
I	4	B 8	Title page or wrapper.
I	5	B 9	Order Sheet.
I	6	B 10	List of records transmitted to the Record-room.
I	7	B 11	Invoice of records sent.
I	8	B 12	Record Keeper's report of record to be found defective.
I	9	B 13	List of Registers, Books and Papers transmitted to Record-room.
I	10	B 14	Notice to take back documents.
I	11	B 15	Requisition for record.
I	12	B 16	Form for transmission of record.
I	13	B 17	Application for inspection of records.
I	14	B 18	Application for copy of record.
I	15	B 20	Estimate of charges for a copy of Book, Register, Map or plan, or any extract thereof.
I	16	B 21	Tender.
I	17	B 22	Advice list of receipts and repayments of deposits.
I	18	B 23	List of the unexpended balances of deposited money which are due and have become repayable.
I	19	B 24	Application for repayment of deposit
I	20	B 25	Repayment Order.
I	21	B 28	Receipt of direct payment made in Court.
I	22	B 29	Application for refund of lapsed deposits.
I	23	B 30	Report of sale effected by Collector.
I	24	B 31	Certificate of refund of Court-fee.
I	25	B 37	Inventory to be furnished by an Executor or Administrator.

I 26	B 38	Accounts to be furnished by an Executor or Administrator
I 27	B 40	Debtor's petition—Act No. V of 1920.
I 28	B 41	Notice to creditors of the date of hearing of an insolvency petition—Act No. V of 1920.
I 29	B 42	Order of Adjudication—Act No. V of 1920.
I 30	B 43	Order appointing a receiver—Act No. V of 1920.
I 31	B 44	Notice to creditors of the date of consideration of a composition or scheme of arrangement under S. 38 (1) of Act No. V of 1920.
I 32	B 45	List of creditors for use of meeting held for consideration of composition or scheme—Act No. V of 1920.
I 33	B 46	Notice to persons claiming to be creditors, on intention to declare final dividend under S. 64 of Act No. V of 1920.
I 34	B 47	Order annulling adjudication under S. 35 of Act No. V of 1920.
I 35	B 48	Notice to creditors of application for discharge under S. 41 (1) of Act No. V of 1920.
I 36	B 49	Order of discharge subject to condition as to earnings after acquired property and income under S. 41 (2) of Act No. V of 1920.
I 37	B 50	Notice of application by unscheduled creditors Act No. V of 1920.
I 38	B 53	Proof of debt—Act No. V of 1920.
I 39	B 54	Proof of debt of workmen under S. 49 of Act No. V of 1920.
I 40	B 55	Summary Administration—Notice to creditors under Section 74 of Act No. V of 1920.
I 41	B 57	Amin's Receipt Book (In books of 100 forms).
I 42	B 58	Payment order by Amin. (In books of 100 forms).
I 43	B 64	Order of permission to pleader to practise independently.
I 44	B 68	License for petition-writing.

PART II—Judicial—Civil.

Forms of Registers under General Rules (Civil), 1952 Vide Appendix C).

II 1	C 1	Staff Attendance Register—
		1. Ministerial staff.
		2. Non-Ministerial staff.
		3. Process servers.
II 2	C 2	Judges' Attendance Register.
II 3	C 3	Process Servers Diary.
II 4	C 5	Register of Requisitions for records.
II 5	C 8	Register of Inspection of records.

II	6	C	9	Register of Applications for Copies.
II	7	C	10	Register of Records handed over to Copyists.
II	8	C	11	Register of sanctioned estimates of copying charges for maps, plans etc.
II	9	C	12	Register of Applications for copies disposed of.
II	10	C	14	Register of Receipts of Deposits.
II	11	C	15	Register of Re-payments of Deposits.
II	12	C	16	Register of Petty Receipts and Repayments.
II	13	C	17	Register of Applications for Repayment Orders.
II	14	C	19	Deposit Cash-Book (Subsidiary).
II	15	C	23	Pass-Book.
II	16	C	24	Acquittance Rolls.
II	17	C	25	Cash-Book (General).
II	18	C	26	Register of Contingent charges.
II	19	C	27	Register of Salary Bills.
II	20	C	28	Register of T. A. Bills.
II	21	C	29	Register of Invoices.
II	22	C	32	Register of Civil Suits.
II	23	C	33	Register of Original Suits Disposed of.
II	24	C	34	Register of Execution Applications.
II	25	C	35	Register of Execution Applications Disposed of.
II	26	C	43	Register of Records Requisitioned and Returned.
II	27	C	44	Register of Persons Summoned and Examined
II	28	C	46	Memorandum Book of Dates for cases.
II	29	C	47	Register of Appeals for Decrees.
II	30	C	48	Register of Appeals for Decrees Disposed of.
II	31	C	49	Register of Miscellaneous Appeals.
II	32	C	50	Register of Miscellaneous Appeals Disposed of.
II	33	C	51	Insolvency Register.
II	34	C	52	Register of Insolvent's estate in the hands of Receiver.
II	35	C	54	Process-Register
II	36	C	55	Register of Peons (Process-servers).
II	37	C	56	Despatch Register (Local).
II	38	C	57	Despatch Register (Postal).
II	39	C	63	Register of Court-fees and Process fees.
II	40	C	66	General Register of Correspondence Files.
II	41	C	67	Register of letter received.
II	42	C	68	Register of letter issued.
II	43	C	69	File Index.
II	44	C	70	Register of General Letters and Circulars.
II	45	C	71	Service Books of Officials.
II	46	C	72	Character Rolls.

PART III—Judicial—Civil.

Forms of Returns (Statements) and Reports in the General Rules (Civil), 1952 (vide Appendix-D.).

III	1	D	2	Monthly Attendance Register of Subordinate Courts (at head-quarters) and true copies of such registers of outlying courts.
III	3	D	5	Monthly extract from the Register of Receipts of Deposits.
III	4	D	6	Monthly extract from the Register of Repayments of Deposits.
III	5	D	7	Monthly Plus and Minus Memorandum.
III	6	D	9	Monthly statement of work done.
III	7	D	11	Monthly statement showing the grand totals of amounts of receipts under Head XXI—Administration of Justice.
III	8	D	13	Monthly statement of work done by Amin.
III	9	D	15	Monthly Return of sums realised by Amin.
III	10	D	16	Monthly statement of movable property attached under the orders of the Court, remaining under the custody of the Amin or in that of intermediate custodian.
III	11	D	20	Quarterly Statement showing the result of the trial of the civil suits in courts of original jurisdiction.
III	12	D	21	Quarterly statement showing the result of proceedings on applications for execution of decrees and orders.
III	13	D	22	Quarterly statement showing the business of Civil Appellate Courts in appeals from decrees and orders.
III	14	D	23	Quarterly Statement of Injunctions and Stay Orders issued by Courts.
III	15	D	26	Quarterly statement explaining the delay in suits pending over one year.
III	16	D	27	Quarterly statement explaining the delay in execution applications pending over one year.
III	17	D	28	Quarterly statement of receipts from search-fees, Inspection fees, copying charges and of the salary of the establishment employed.
III	18	D	34	Annual Clearance Register.
III	19	D	35	Annual statement showing the general result of the trial of civil suits.
III	20	D	36	Annual Statement showing the number and description of suits instituted.
III	21	D	37	Annual statement showing the number and value of suits instituted.
III	22	D	38	Annual statement showing the mode of disposal of miscellaneous cases (Judicial).

III	23	D	39	Annual Statement showing the business of Civil Appellate Courts in appeals from decrees.
III	23A.	D	39A.	Annual return of revision cases under the Gram Panchayat Act.
III	24	D	40	Annual statement showing the business of Civil Appellate Courts in miscellaneous appeals (Judicial).
III	25	D	41	Annual statement of undecided suits classified according to years.
III	26	D	42	Annual statement showing the result of proceedings on applications for execution of decrees and orders.
III	27	D	43	Annual statement of injunctions and stay orders issued by courts.
III	28	D	44	Annual statement showing the number and result of insolvency petitions and the number of insolvents.
III	29	D	45	Annual statement of proceedings in insolvency showing the number of estates in the hands of receivers and progress made in winding them up
III	30	D	46	Annual statement showing the number of process serving peons employed and the fees received for their service.
III	31	D	47	Annual statement showing the number of persons summoned and examined.
III	32	D	48	Annual statement showing the income and expenditure of civil courts.
III	33	D	49	Annual statement showing the number of probates, letters of administration and certificates issued.
III	34	D	58	Annual indent of printed non-saleable forms.
III	35	D	59	Annual statement of saleable forms.
III	36	D	69	Statement of business pending in the court of the officer applying for leave.

PART IV—Judicial—Civil.

Form under the Code of Civil Procedure, 1908.

IV	1	B	1	Summons for disposal of suits (Order V, rules 1 and 5).
IV	2	B	2	Summons for settlement of issues (Order V, rules 1 and 5).
IV	3	B	4	Summons in summary suits on Negotiable Instruments (Order XXXVII, rule 2).
IV	4	B	6	Summons to legal representatives of a deceased defendant (Order XXII, rule 4).
IV	5	B	13	Summons to witness (Order XVI, rules 1 and 5).

IV	6	B	14	Proclamation requiring attendance of witness (Order XVI, rule 10).
IV	7	B	15	Proclamation requiring attendance of witness when served (Order XVI, rule 10).
IV	8	:		Warrant of attachment of property of witness (Order XVI, rule 10).
IV	9	B	17	Warrant of arrest of witness (Order XVI, rule 10).
IV	10	D	1	Decree in original suit (Order XX, rules 6 and 7).
IV	11	E	3	Order sending decree for execution to another court (Order XXI, rule 6).
IV	12	E	4	Certificate of non-satisfaction of decree (Order XXI, rule 6).
IV	13	E	5	Certificate of execution of decree transferred to another court (Order XXI, rule 6).
IV	14	:		Notice to show cause why execution should not issue (Order XXI, rule 22).
IV	15	E	8	Warrant of attachment of movable property in execution of a decree for money (Order XXI, rule 30).
IV	16	:		Warrant to give possession of land when in possession of tenant (Order XXI, rule 35).
IV	17	:		Warrant to give possession of immovable property (Order XXI, rule 35).
IV	18	E	12	Notice to show cause why warrant of arrest should not issue (Order XXI, rule 37).
IV	19	E	13	Warrant of arrest in execution (Order XXI, rule 38).
IV	20	E	14	Warrant of committal of judgment debtor to jail (Order XXI, rule 40).
IV	21	E	16	Prohibitory order when movable property to be attached is in possession of others (Order XXI, rule 46).
IV	22	E	17	Prohibitory order for attachment of debts (Order XXI, rule 46).
IV	23	E	19	Order to withhold salary (Order XXI, rule 49).
IV	24	E	24	Prohibitory order in respect of immovable property to be attached in execution (Order XXI, rule 54).
IV	25	:		Warrant to Amin for attaching property [Order XXI, rule 51 (2)].
IV	26	E	25	Order for payment to the plaintiff, etc. of money, etc. in the hands of a third person (Order XXI, rule 56).
IV	27	E	26	Notice to attaching creditor (Order XXI, rule 58).

IV 28	E	27	Warrant of sale of property in execution of a decree for money (Order XXI, rule 66).
IV 29	E	28	Notice of the day fixed for settling a sale proclamation (Order XXI, rule 66).
IV 30	E	29	Proclamation of sale (Order XXI, rule 66).
IV 31	E	30	Order on the Nazir for causing service of proclamation of sale (Order XXI, rule 66).
IV 32	E	36	Notice to show cause why sale should not be set aside (Order XXI, rules 90 and 92).
IV 33	E	38	Certificate of sale of land (Order XXI, rule 94).
IV 34	E	40	Summons to obstructor (Order XXI, rule 97).
IV 35	F	1	Warrant of arrest before judgment (Order XXXVIII rule 1).
IV 36	F	5	Order for attachment before judgment and calling for security (Order XXXVIII, rule 5).
IV 37	F	7	Attachment before judgment on failure to furnish security (Order XXXVIII, rule 6).
IV 38	F	9	Appointment of receiver (Order XL, rule 1).
IV 39	G	5	Intimation to lower court of admission of appeal (Order XL rule 13).
IV 40	G	6	Notice of appeal to respondent (Order XLI, rule 14).
IV 41	G	9	Decree in appeal (Order XLI, rule 35).
IV 42	G	14	Notice to show cause against review (Order XLVII rule 4).
IV 43	H	3	Notice of payment into court (Order XXIV, rule 2).
IV 44	H	4	Notice to show cause (General Form).
IV 45	H	5	List of documents filed (Order XIII, rule 1).
IV 46	H	7	Commission to examine absent witness (Order XXVI rules 4 and 18).
IV 47	H	8	Letter of request forwarding Commission (Order XXVI, rule 5).
IV 48	:	:	Decisions of Small Causes Courts (Order XVIII, rule 13 and Order XX, rules 4 and 6).
IV 49	H	11	Notice to minor defendant and guardian (Order XXXII rule 3).
IV 50	H	12	Notice of hearing of application for pauperism (Order XXXIII, rule 6).
IV 51	:	:	Notice of date of hearing (General form).

APPENDIX. F.

List of saleable forms (Rules 467, 469 and 470)

Each District Judge, each outlying subordinate Judge and each outlying Munsif shall be allowed to hold certain quantities of

saleable forms permanent advance with the general directions issued by the High Court.

Part and number	Description of form.
I 16.	Application for inspection of record (Form No. 17 of Appendix B of these Rules).
I 14.	Application for copies of record (Form No. 18 of Appendix B of these Rules).
I 16.	Tender (Form No. 21 of Appendix B of these Rules).
I 19.	Application for repayment of deposit (Form No. 24 of Appendix B of these Rules).
I 28.	Notice to creditors of the date of hearing of an insolvency petition Act No. V of 1920 (Form No. 41 of Appendix B of these Rules).
I 31.	Notice to Creditors of the date of consideration of a composition or scheme of arrangement under section 38 (1) of Act No. V of 1920 (Form No. 44 of Appendix B of these Rules).
I 33.	Notice to persons Claiming to be Creditors of intention to declare final dividend under section 64 of Act No. V of 1920 (Form No. 46 of Appendix B of these Rules).
I 35.	Notice to Creditors of application for discharge under section 41 (1) of Act No. V of 1920, (Form No. 48 of Appendix B of these Rules).
I 37.	Notice of application by un-scheduled Creditors—Act No. V of 1920 (Form No. 50 of Appendix B of these Rules).
I 38.	Proof of debt—Act No. V of 1920 (Form No. 53 of Appendix B of these Rules).
I 40.	Summary administration—Notice to creditors. Section 74 of Act No. V of 1920 (Form No. 55 of Appendix B of these Rules).
IV 1.	Summons for disposal of suits (Order V, rules 1 and 5).
IV 2.	Summons for settlement of issues (Order V, rules 1 and 5).
IV 4.	Summons to legal representative of a deceased defendant (Order XXII, rule 4).
IV 12.	Summons to witness (Orders XVI, rules 1 and 5).
IV 45.	Notice to show cause why execution should not issue (Order XXI, rule 16).
IV 60.	Notice of the day fixed for settling a sale proclamation (Order XXI, rule 66).
IV 65.	Notice to show cause why sale should not be set aside (Order XXI, rules 90 and 92).

- IV 68. Summons to obstructor (Order XXI, rule 97)
- IV 80. Notice of appeal to respondent (Order XLI rule 14).
- IV 83. Notice to show cause against review (Order XLVII, rule 4).
- IV 84. Notice of payment into Court (Order XXIV, rule 2)
- IV 85. Notice to show cause (General form).
- IV 86. List of documents filed (Order XIII, rule 1).
- IV 93. Notice to minor defendant and Guardian (Order XXXII, rule 3).

APPENDIX G.

Rules for providing against the occurrence of fire in Court buildings.

(1) With a view to better supervision of Courts and record rooms a responsible official of each court, nominated by the presiding officers, must remain in the Court building until the Court building is closed for the night.

(2) This official will personally inspect each Court room as he closes it and will put the keys in the place provided for their custody. For this, presiding officers are left at liberty to make whatever arrangements are most suitable.

(3) Where a police guard is stationed for watch and ward over the Court buildings, the officer in charge of the guard will accompany an official who is on his round to close rooms and offices.

(4) In the case of each room special care must be taken that every almirah and cupboard is closed down and that no papers are lying about.

(5) The door of each Court room will be personally opened each morning by a responsible official who will make a round of rooms and record as to the state in which he finds them; that record will be placed before the Judge on his arrival at Court.

(6) The record-room or record-rooms will invariably be closed not later than 5 P. M. of each day. The record-keeper will go through each room of the record-room and take care that no records are lying about or papers scattered on the floor. The record-room staff is responsible that at the close of each day all papers are gathered up and put into a safe place. No smoking of any kind is on any pretence to be permitted in a Court, in any office room attached to a Court or any part of the record room or its annexes. The Munsam of each Court and the record-keeper will be responsible that this rule is strictly enforced, and bring to the notice of the Judge any infringement thereof.

(7) Provision should be made for either (1) a sufficient number of 'Gharas' either of water or sand in some portion of the Court-house which can be easily reached [these 'Gharas' should be inspected on the 1st of each month to see that they are properly filled and ready for use]; or preferably (2) for a proper supply of Minimax Fire Extinguishers prepared by Minimax Limited, Calcutta. These

must be so placed that they can be easily taken down and used for the purpose of extinguishing any fire.

(8) The Munsarim of each Judge's Court will personally inspect Minimax Fire Extinguishers (where provided) on 2nd of January and 1st of June, in each year and report to the Judge that they are all in order.

(9) The Nazir on the opening day of each month will personally inspect every room, clerestory or roof that is guarded by wire and report to the Judge whether the wire is in proper order or whether there are places where repair is called for.

APPENDIX H.

Seals of Civil Courts.

Name of court.	Shape	Dimensions
1. District Judges.	Round.	2½" Diametor
2. Civil Judges.		
3. Munsifs.		
4. Courts of Small Causes.	Round	2½" Diametor

VOLUME II

APPENDIX I

Instructions for Inspection. Question VI

The following shall be added to Question VI, at the end :—

"Has any case been postponed more than twice for want of time?"

RAJASTHAN CIVIL COURTS ORDINANCE, 1950

The Notifications reproduced under this heading have been issued by the Government in exercise of the powers conferred under different Sections of the Rajasthan Civil Courts Ordinance, 1950. The Sections of the Ordinance conferring such powers are reproduced below:—

7. *Power to fix and alter local limits of the jurisdiction of Courts.*—The Government may, by notification in the Rajasthan Gazette, fix and alter the local limits of the jurisdiction of any Civil Court under this Ordinance.

8. *Power to fix number of District Judges.*—(1) The Government may fix and from time to time alter the number of District Judges to be appointed for the whole of Rajasthan.

10 *Additional Judges.*—(1) When the business pending before any District Judge or District Judges so requires for its speedy disposal, the Government may, upon the recommendation of the High Court, sanction the appointment of such number of Additional Judges as may be necessary.

(2) The provisions of section 9 shall apply also to the appointment, posting and promotion of, and filling up of vacancies among, Additional Judges.

(3) Any Additional Judge so appointed shall discharge any of the functions of a District Judge which the District Judge may assign to him, and in the discharge of those functions he shall exercise the same powers as the District Judge.

12. *Power to fix number of Civil Judges and Munsifs.*—(1) The Government may fix and from time to time alter the number of Civil Judges and Munsifs to be appointed for the whole of Rajasthan.

19. *Jurisdiction of other Courts.*—(1) Subject as aforesaid,—

(i) the Court of a Civil Judge shall have jurisdiction to hear and determine any suit or original proceeding of which the value does not exceed ten thousand rupees, and

(ii) the Court of a Munsif shall have jurisdiction to hear and determine any suit or original proceeding of which the value does not exceed two thousand rupees:

Provided that the Government may from time to time by notification in the Rajasthan Gazette, direct—

(a) with respect to any Civil Judge named therein that his jurisdiction shall extend, subject as aforesaid, to all suits and original proceedings without restriction as regards value, and

(b) with respect to any Munsif named therein that his jurisdiction shall extend, subject as aforesaid to all suits and

original proceedings of such value not exceeding five thousand rupees as may be specified in the notification.

(2) The Government may, by notification in the Rajasthan Gazette, delegate to the High Court its powers under this section.

23 Exercise by Civil Judge of jurisdiction of District Court in certain proceedings.—(1) The High Court may, by general or special order, authorise any Civil Judge to take cognisance of or any District Judge to transfer to a Civil Judge under his control any of the proceedings next hereinafter mentioned or any class of those proceedings specified in the order.

(2) The proceedings referred to in sub-section (2) are the following namely,—

(a) proceedings under the Indian Succession Act, 1925 of the Central Legislature, which cannot be disposed of by District Delegates; and

(b) proceedings under the Guardians and Wards Act, 1890 the Central Legislature.

(3) The District Judge may withdraw any such proceedings taken cognisance of by, or transferred to, a Civil Judge and may either himself dispose of them or transfer them to a Court under his administrative control competent to dispose of them.

(4) Proceedings taken cognisance of by, or transferred to, a Civil Judge, as the case may be, under this section shall be disposed of by him subject to the rules applicable to like proceedings when disposed of by the District Judge.

24. Power to invest Civil Judges and Munsifs with Small Cause Court jurisdiction.—The Government may, by notification in the Rajasthan Gazette, confer, within such local limits as it thinks fit, upon any Civil Judge or Munsif, the jurisdiction of a Judge of a Court of Small Causes under the Rajasthan Small, Cause Courts Ordinance, 1950 for the trial of suits cognizable by such Courts, up to such value, not exceeding five hundred rupees in the case of a Civil Judge or one hundred rupees in the case of a Munsif, as it thinks fit, and may withdraw any jurisdiction so conferred:—

Provided that the Government may by notification in the Rajasthan Gazette delegate to the High Court its power under this section.

DISTRICT JUDGES.

Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I at page 181 :

GOVERNMENT OF RAJASTHAN

Judicial Department

NOTIFICATIONS.

Jaipur, June 2, 1950.

No. F-1 (40) Jud./50.—In exercise of the powers conferred by Sub-section (1) of Section 7 and Sub-section (1) of Section 8 of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to direct that with effect from the 1st day of July, 1950, there shall be twelve District Judges appointed for the whole of Rajasthan, with the places of headquarters and the territorial limits of jurisdiction, of their courts as indicated in the following table, namely:—

<i>Serl. No.</i>	<i>Place of head-quarters of Court.</i>	<i>Extent of territorial jurisdiction of Court.</i>
1.	Bikaner	Bikaner and Churu Districts.
2.	Ganganagar	Ganganagar District.
3.	Jaipur	Jaipur and Tonk Districts.
4.	Bharatpur	Bharatpur and Sawai Madhopur Districts.
5.	Alwar	Alwar District
6.	Sikar	Sikar and Jhunjhunu Districts.
7.	Jodhpur	Jodhpur, Jaisalmer, Nagaur, Barmer and Jalore Districts.
8.	Pali	Pali and Sirohi Districts.
9.	Kotah	Kotah Division.
10.	Udaipur	Udaipur and Dungarpur Districts.
11.	Pratapgarh	Chittorgarh and Banswara Districts.
12.	Bhilwara	Bhilwara District.

NOTE.—The expressions "division" and "district" in this table refer to the divisions and districts as formed under the Rajasthan Territorial Divisions Ordinance, 1949.

The above notification has subsequently been amended as under:—

(1) Vide Notification of even number dated March 9, 1951 published in Raj. Raj-patra Vol. 2 No. 145 dated 9/3/1951 with effect from the 12th March, 1951 there shall be two District Judges at Jaipur in place of on (item No. 3 above) with the territorial limits as indicated below:—

(A) Jaipur City (Municipal limits) and Tonk District, to be designated as the Court of District Judge, Jaipur City, and

(B) Jaipur District except the municipal limits of Jaipur City, to be designated as the Court of District Judge, Jaipur District.

(2) Notification of even number dated July 4, 1951 published in Rajasthan Raj-patra dated 21/7/1951 Vol. 3 No. 3 provides for two more District Judges at

Merta and Balotra with the territorial limits of Nagaur District and Barmer and Jalore District respectively. The jurisdiction of Jodhpur District Judge at item No. 7 above shall with this notification extend to Jodhpur and Jaisalmer Districts only.

(3) The notifications of even number dated 8th September, 1951 and dated 18th December, 1952 published in Rajasthan Raj-patra dated 22/9/51 part I Vol. 3 No. 90 and dated 27/12/52 Part I respectively have resulted in abolition of the Court of District Judge at Sikar (item No. 6 above) and establishment of District Judge ship at Jhunjhunu. The territorial limits will extend to Jhunjhunu and Sikar Districts.

with these. amendments there shall now be 15 District Judges instead of originally 12.

(4) Vide notification No. F. 1. (59) L.J./B/56/1137 (II) dated 14/11/1956 published in Rajasthan Raj-patra Part I (A) dated 22/11/1956. Kishangarh Sub-Division shall be excluded from the Judgeship of Jaipur District and added to the Judgeship of Ajmer District.

Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I at page 182 :

Jaipur, June 2, 1950.

No. F-1 (41) Jud./50.—an exercise of the powers conferred by Section 10 of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to direct that with effect from the 1st day of July, 1950, three Additional Judges shall be appointed for the speedy disposal of business before the District Judges specified in the following table, namely:—

No. of Additional Judges.	Court of District Judge to which attached.
One	District Judge, Jaipur.
two	District Judge, Jodhpur.

Above notification stands amended as under:—

(1) Vide notification No. F. 1. (41) Jud./50 dated 9/3/1951 published in Rajasthan Raj-patra Vol. 2 No. 145 dated 9 3/1951 the Additional District Judge at item No. 1 above shall remain attached to the Courts of District Judges, Jaipur City and Jaipur District.

(2) Vide notification No. F. 1. (40) Jud./50 dated July. 4, 1951 published in Rajasthan Raj-patra Vol. 3 No. 70 dated 21/7/1951 the two Additional Judges attached to the District Judge, Jodhpur shall cease to function.

(3) Two more Additional Judges, one attached to District Judge, Jaipur and the other attached to District Judge, Udaipur have been appointed vide notification No. F-1 (43) Jud /50 A dated June 29, 1950 published in Rajasthan Raj-patra Extraordinary—Part. I Vol. 2 No. 30 dated 1/7/1950.

CIVIL JUDGES.

Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I at page 183 :

Jaipur, June 2, 1950.

No. F-1 (44) Jud /50—In exercise of the powers conferred by Sub-section (1) of Section 7 and Sub-section (1) of Section 12 of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to direct that with effect from the 1st day of July, 1950, there shall be thirty-five Civil Judges for the whole of Rajasthan with the places of headquarters, and the territorial limits of

jurisdiction, of their courts as indicated in the following table, namely:

Serial Number	Place of Headquarters.	Extent of territorial jurisdiction of the court.	Remarks.
1	2	3	4
1	Bikaner	BIKANER DIVISION. Bikaner District	Will also take up cases of the cogni- zance of Munsif with- in Bikaner District excluding Bikaner City
2	Churu	Churu District	
3	Ratangarh	Ratangarh Sub-division	Will also take up ca- ses of the cognizance of Munsif within his jurisdiction.
4	Ganganagar	Ganganagar, Karanpur and Raisingh-Nagar Sub- divisions	—do—
5	Suratgarh	Nohar and Sadulgarh (Hanu- mangarh) Sub divisions JAIPUR DIVISION	—do—
6	Jaipur	Municipal limits of the City of Jaipur.	
7	Jaipur	Jaipur Sub-division (exclu- ding the Municipal limits of the City of Jaipur), Dausa, Shahpura, Amber and Malpura Sub-divisions and Tehsil Phagi	
8	Sambher	Phulera Sub division excluding Tehsil Phagi	Will also take up cases of the cogni- zance of Munsif with- in his jurisdiction.
9	Kishangarh	Kishangarh Sub-division	
10	Tonk	Tonk Sub-division	
11	Bharatpur	Bharatpur, Bayana and Deeg Sub-divisions	Will also take up cases of the cognizance of Munsif within Bha- ratpur Sub-division.
12	Dholpur	Dholpur Sub-division	
13	Gangapur	Sawai Madhopur District	
14	Alwar	Alwar District	Will also take up cases of the cognizances of Munsif within Alwar City.

15	Sikar	Sikar Sub-division	Will also take up cases of the cognizance of Munsif within his jurisdiction.
16	Neem-ka-thana	Danta Ramgarh and Neem-ka-thana Tehsils	Will also take up cases of the cognizance of Munsif within Danta Ramgarh tehsil.
17	Jhunjhunu	Jhunjhunu District	
18	Jodhpur	JODHPUR DIVISION.	
19	Jaisalmer	Jodhpur District	
20	Merta	Jaisalmer District	
21	Balotra	Nagaur District	
22	Pali	Barmer and Jalor District	
		Pali District	Will also take up cases of the cognizance of Munsif within Pali tehsil.
23	Sirohi	Sirohi District	
		KOTAH DIVISION	
24	Kotah	Kotah and Chechut Sub-division	
25	Baran	Baran, Chhabra and Sironj Sub-divisions	
26	Bundi	Bundi District	
27	Jhalawar	Jhalawar District	
		UDAIPUR DIVISION.	
28	Udaipur	Udaipur Sub division.	
29	Udaipur	Udaipur District excluding Udaipur Sub division and Kherwara Tehsil of Udaipur District	
30	Dungarpur	Dungarpur District and Kherwara Tehsil of Udaipur District.	
31	Pratapgarh	Pratapgarh Sub-division	Will also take up cases of the cognizance of Munsif within his jurisdiction,
32	Banswara	Banswara District	
33	Neembahera	Chittorgarh District excluding Pratapgarh Sub division	Will also take up cases of the cognizance of munsif within his jurisdiction.
34	Bhilwara	Bhilwara District excluding Shahpura Sub-division	

35	Shahpura	Shahpura Sub-division of Bhilwara District	Will also take up cases of the cognizance of Munsif within his jurisdiction.
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Note.—The expressions “district” “sub-division” and “Tehsil” refer respectively to the districts, sub-divisions and Tehsils formed under the Rajasthan Territorial Divisions Ordinance, 1949.

The above notification stands amended as under through various notifications issued by the Government from time to time.

(1) Notification of even number dated 26-8-50 published in Rajasthan Gazette No. 50 dated 2-9-50 part II Vol. 2. :—

The territorial jurisdiction of the Court of Civil Judge Sambhar (item No. 8) shall extend to Phulera Sub-Division excluding Tehsil Phagi and Sambhar Sub-Division.

(2) Notification of even number dated 6-9-50 published in Rajasthan Rajpatra No. 55 dated 16-9-50 part I Vol. 2. :—

The words in remarks column of item No. 33 have been substituted by these words, “will also take up cases of the cognizance of Munsiff in Nimbahera Sub-division, excluding Chhoti and Bari Sadri Tehsils.”

(3) Notification of even number dated 19-6-51 published in Rajasthan Rajpatra No. 57 dated June 21, 1951 part I Vol. 3. :—

The jurisdiction of Court of Civil Judge at Nimka-thana (item No. 16) shall with effect from the 4th July, 1951 extend to Nimka-thana Sub Division.

(4) Notification of even number dated 19-6-51, published in Rajasthan Rajpatra No. 57 dated June 21, 1951 part I Vol. 3. :—

The territorial jurisdiction of Court of Civil Judge at Sikar (item No. 15) shall with effect from the 4th July, 1951 extend to Sikar and Fatehpur Sub-Divisions.

(5) Notification of even number dated 7-8-1951 published in Rajasthan Rajpatra Vol. No. 3 No. 78 dated 18-8-51 part I :—

The place of headquarters of the Court of Civil Judge, Dungarpur (item No. 30) shall be at Udaipur instead of at Dungarpur.

(6) Notification of even number dated 8-11-1951 published in Rajasthan Rajpatra Vol. 3 No. 114 dated 17-11-1951 part I :—

The revised jurisdiction of Court of Civil Judge at Nimbahera (item No. 33) shall extend, with effect from 1-12-1951, to Chittorgarh District excluding (i) Dungala Tehsil of Nimbahera Sub-Division and (ii) Partapgarh Sub-Division.

(7) Notification No. F. 3 (34) Jud./51 dated 28-11-51 published in Rajasthan Rajpatra Vol. 3 No. 123 dated 8-12-51 part I. The following changes shall be effected from the 2nd January, 1952 :—

(i) The Court of Civil Judge, Dungarpur (item No. 30) headquartered at Udaipur (No. 5 above) shall be abolished and in its place a Court of Civil Judge, shall be established at Udaipur with juris-

diction over whole of Udaipur and Dungarpur Districts. It shall also take up cases of the cognizance of Court of Munsiff within the Tehsils of Dungarpur, Aspur and Kherwara.

(ii) The existing Court of Civil Judge Udaipur (item No. 29) shall be abolished.

(iii) The territorial limits of the Civil Judge, which has jurisdiction over Udaipur Sub-Division, (item No. 28) shall extend over the whole of Udaipur District instead of Udaipur Sub-Division.

(iv) The Court of Civil Judge Jaisalmer (item No. 19) shall be abolished and in its place a Court of Civil Judge at Jodhpur shall be established with jurisdiction over whole of Jodhpur and Jaisalmer Districts.

(v) A Court of Civil Judge with jurisdiction over the Jaisalmer Sub-Division shall be established at Jaisalmer and it shall also take up cases of cognizance of the Court of Munsiff within its jurisdiction.

(vi) The territorial jurisdiction of Civil Judge, Jodhpur District (item No. 18) shall also extend over the Baap Sub-Division of Jaisalmer District.

(vii) The Court of Civil Judge, Bikaner District (item No. 1) shall cease to take up cases of the cognizance of a Court of Munsiff.

(viii) The Court of Civil Judge, Alwar (item No. 14) shall cease to take up cases of the cognizance of the Court of Munsiff.

(8) Notification of even number dated 30-11-51 published in Rajasthan Raj-patra Vol. 3 No. 123 part I dated 8-12-51 :—

After the word, "Jurisdiction" occurring in the third column (item No. 33) the words "except the cases of the cognizance of Munsiffs at Chittorgarh, Kapasin and Chhoti Sadri" shall be added (No. 6 above).

(9) Notification of even number dated 14-2-52, published in Rajasthan Raj-patra

The territorial jurisdiction of the Court of Civil Judge Nimbahera (item No. 33) shall be re-allocated and extend to Chittorgarh District excluding Partapgarh Sub-Division (No. 6 and 8 above).

(10) Notification No. F. 3-(4) Jud./52 (II). dated 11-9-1952 published in Rajasthan Raj-patra Vol. 4 No. 110 part I dated 27-9-1952 :—

(i) The territorial jurisdiction of the Court of Civil Judge, Jaipur (item No. 27) shall extend to Jaipur sub-Division (excluding the municipal limits of the City of Jaipur, Dausa, Shahpura, Amber sub-Divisions and Tehsil Phagi).

(ii) The territorial jurisdiction of the Court of Civil Judge at Tonk (item No. 10) shall extend to Tonk and Malpura Sub Divisions.

(11) Notification No. F. I (103) Jud./52 (III) dated 18/12/52 published in Rajasthan Raj-patra

With effect from the 2nd January, 1953, the territorial jurisdiction of the Court of Civil Judge at Sikar (item No. 15) shall extend over the whole of the Sikar District and he shall cease

to take up cases of the cognizance of Munsiffs within Sikar Sub-Division (No. 4 above).

(12) Notification No. F. I (29) Jud./53 (I). dated 3/6/53 published in Rajasthan Raj-patra

(i) The jurisdiction of the Court of Munsiffs at Churu, Tonk, Kishangarh, Nim-ka-thana, and Bhilwara shall respectively be transferred to Courts of Civil Judges at Churu (item No. 2) Tonk (item No. 10), Kishangarh (item No. 9), Nim-ka-thana (item No. 16) and Bhilwara (item No. 34).

(ii) The territorial jurisdiction over the area covered by the police station Danta Raingarh shall be transferred from the Civil Judge at Nim-ka-thana (item No. 16) to the Court of Civil Judge at Sikar (item No. 15,) (except Munsiff's jurisdiction).

(iii) A Court of Civil Judge, Jalore shall be established with jurisdiction over the whole of Jalore District and it shall also take up cases of the cognizance of a Munsiff arising in Jalore Tehsil.

(iv) A Court of civil Judge at Nagaur shall be established with jurisdiction over Nagaur Tehsil and it shall also take up cases of the cognizance of Munsiff.

(13) Notification No. F. I (29) Jud./53, dated 17/7/53 published in Rajasthan Raj-patra dated 25-7-53:—

Anupgarh and Raisinghnagar Tehsils shall be transferred from the jurisdiction of the Court of Civil Judge, Ganganagar (item No. 4) to the Court of Civil Judge Suratgarh (item No. 5).

(14) Notification No. F. I (29) Jud./53 dated 22/4/54 published in Rajasthan Raj-patra dated 24-4-54:—

The territorial jurisdiction of the Court of Munsiffs at Banera and Mandalgarh be transferred to the Court of Civil Judge at Bhilwara with effect from the 1st day of May 1954 (item No. 34)

(15) Notification No. F-1 (29) Jud/53 dated 8/9/54 published in Rajasthan Raj Patra dated 18-9-54:—

On and from 1-10-1954 the Tehsil Didwana shall be transferred from the jurisdiction of the Civil Judge Merta (item No. 20) to the Court of Civil Judge Nagaur.

(16) Notification No. F. I (23) Jud./54 dated 12-10-54 published in Rajasthan Raj patra Vol. 6 No. 100 Part I dated 23-10-54 :—

On and from 1-11-54 the jurisdiction of Munsiff Jhalawar shall be transferred to the Court of Civil Judge. Jhalawar (item No. 27)

(17) Notification No. F. I (27) Jud./54 (I) dated 11-1-55 published in Rajasthan Raj-patra Part 1 (B) dated 22-1-55 :—

(i) The existing Court of Senior Civil Judge, Balotra (item No. 21) shall be abolished and instead a Court of Senior Civil Judge, Jalore shall be established with territorial jurisdiction over Jalore District.

(ii) The Court of Civil Judge at Jalore shall be abolished.

(iii) The Court of Civil Judge at Balotra shall be established with jurisdiction over Barmer District.

(18) Notification No. F. I (6) Jud./54 dated 19-1-55 published in Rajasthan Raj-patra Part 1 (A) dated 12-2-55 :—

Bali and Desuri Tehsils of Pali District shall be transferred from the jurisdiction of the Court of Civil Judge, Pali (item No. 22) to the Court of Civil Judge, Sirohi (item No. 23).

(19) Notification No. F. 1 (29) Jud./53 (I) dated 11-4-55 published in Raj. Raj-patra Part I (A) dated 23-4-55 :—

(i) The Court of Civil Judge at Nimbahera shall be abolished (item No. 33)

(ii) A Court of Civil Judge at Chittorgarh shall be established with jurisdiction over Chittorgarh District excluding Partapgarh Sub-Division and inclusive of Munsiff, Chittorgarh.

(20) Notification No. F. 1 (33) Jud./54 dated 20-7-54 published in Raj. Raj-patra part I (A) dated 20-8-55 :—

The revised jurisdiction of Civil Judge Jaisalmer shall extend to Jaisalmer District.

(21) Notification No. F. 1 (25) Jud./55 dated 26-4-56 published in Raj. Raj-patra part I (A) dated 19-5-56 :—

The revised jurisdiction of the Court of Civil Judge, Nagaur shall extend to Tehsils of Nagaur, Jayal, Didwana and Ladnu.

(ii) The Court of Civil Judge, Balotra shall have revised jurisdiction over Barmer District as reconstituted.

(22) Notification No. F. 1 (25) Jud./55 dated 27-5-57 published in Raj. Raj-patra part 4 (c) dated 20-7-57 :—

(i) The revised jurisdiction of Civil Judge, Balotra shall extend to Revenue Tehsils of Barmer, Sheo, Siwana, Pachpadra and Chohatan.

(ii) The revised jurisdiction of Senior Civil Judge, Jalore shall extend to Revenue Tehsils of Santhore, Jaswantpura, Jalore and Ahore.

(23) Notification No. F. 1 (50) Jud./50 dated 8-9-51 published in Rajasthan Raj-patra :—

Civil Judge at Jhunjhunu (item No. 17) shall also exercise the powers of a Munsiff for the whole of the Jhunjhunu District w. e. f. 3-10-51.

(24) Notification No. F. 1 (50) Jul./50 dated 9-2-52 published in Rajasthan Raj-patra :—

A new Court of Civil Judge at sojat with jurisdiction over sojat and Jetaran Sub-Divisions shall be established w. e. f. 1-3-52.

(25) Notification No. F. 1 (40) Jud./50 dated 29-6-50 published in Rajasthan Raj-patra Vol. 2 No. 30 dated 1-7-54 part I :—

One additional Civil Judge for Jaipur Sub-Division has been established w. e. f. 1-7-50. Under the same notification one additional Civil Judge, Jodhpur for Jodhpur Sub-Division was established but the same has been abolished w. e. f. 2-1-52 vide Notification No. F. 3 (34) Jud./51 dated 28-11-51 published in Rajasthan Raj-patra Vol. 3 No. 123 Part I dated 8-12-51.

(26) Notification No. F. 1 (75) L. J. (B) 56 dated 9-1-58 published in Rajasthan Raj-patra Part IV (c) dated 30-1-58-

Tehsil sarwar shall be excluded from the jurisdiction of Civil Judge (Senior), Kishangarh and placed under Munsiff kekri.

Published in Raj. Raj-patra Vol. 2 No. 30 Dated 1-7-50 part I at page 2 :

Jaipur, June 29, 1950.

No. F-1 (40) Jud./50.—In exercise of the powers conferred by sub-section (1) of section 7 and sub-section (1) of section 12 of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to establish with effect from the 1st day of July, 1950, the following additional temporary Courts of Civil Judges to assist in the disposal of arrears of work:—

S. No.	Name of	Head-quarters.	Extent of territorial Jurisdiction
1.	Additional Civil Judge.	Jaipur	Jaipur Sub-Division.
2.	—do—	Jodhpur	Jodhpur —do—

2. The Government is further pleased to order that the said courts shall hear only such cases or class of cases as may be transferred to them under the directions of the High Court.

Published in Raj Raj-patra Dated February 7, 1953 part I at page 1006 :

Jaipur, January 30, 1953.

No. F. 1 (5) Jud. (i)/53.—In exercise of the powers conferred by section 7 (1) of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to fix the local limits of the civil jurisdiction of the Court of the Civil and Additional Sessions Judge, Ganganagar (created under Government Notification No. F. 1 (17) Int. (B)/52, dated 11th September, (1952) as co-extensive with the local limits of the jurisdiction of the Court of the District Judge, Ganganagar.

The Court of the Civil and Additional Sessions Judge, Ganganagar, on its civil side shall be designated as the Court of the Senior Civil Judge, Ganganagar.

Jaipur January 30, 1953.

No. F. 1 (5) Jud. (ii)/53.—In exercise of the powers conferred by section 7 (1) of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to fix the local limits of the civil jurisdiction of the Court of the Civil and Additional Sessions Judge, Jaipur (created under Government Notification No. F. 1 (17) Int. (B)/52, dated 11th September, 1952) as co-extensive with the local limits of the jurisdiction of the Court of the District Judge, Jaipur City.

The Court of the Civil and Additional Sessions Judge, Jaipur

City, on its civil side shall be designated as the Court of the Senior Civil Judge, Jaipur City.

By Order of
His Highness the Rajpramukh
PRABHU DAYAL LOIWAL,
Secretary to the Government.

ORDER

Jaipur, January 30, 1953.

No. F. 1 (5) Jud./ (iv)/ 53.—In order to differentiate the existing two Courts of Civil Judges headquartered at one and the same place, the Government of Rajasthan is pleased to direct that the Courts of Civil and Additional Sessions Judges at Udaipur and Jodhpur, on the Civil Side, shall be designated as the Courts of Senior Civil Judges. —

By Order,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated March 21, 1957 part 1 (b) at page 844 :

(Authorised by the Governor)

NOTIFICATIONS.

Jaipur, March 11, 1957.

No. 940/F. 1 (12) LJ/B/57 (1)—In exercise of the powers conferred by sub-section (1) of section 7, sub-section (1) of section 12 and section 19 of the Rajasthan Civil Courts Ordinance 1950 (VII of 1950), the State Government is pleased to direct that—

- (1) a temporary Court of Additional Civil Judge with headquarters at Jaipur shall be established with immediate effect for a period of one year,
- (2) the said Court shall have territorial jurisdiction over Jaipur District, and
- (3) the pecuniary jurisdiction of the said Court shall extend to all suits and original proceedings without restriction as regards value.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated May 30, 1957 part IV (c) at page 91 :

(Authorised by the Governor)

NOTIFICATION

Jaipur, April 18, 1957.

No. F. 1537/1 (12) LJ/B/57 (1).—In exercise of the powers conferred by sub-section (1) of section 7 and subsection (1) of section 12 and section 19 of the Rajasthan Civil Courts Ordinance, 1950 (VII of 1950) the State Government is pleased to direct that the following amendment shall be made in Law and Judicial Department (B) Notification No. 940/F. 1 (12) LJ/B/57 (1), dated the 11th March, 1957 namely:—

In item (1) of the said notification for the words "a temporary Court of Additional Civil Judge" the words "a temporary Additional Court of Civil Judge to be designated as Court of Senior Civil Judge, Jaipur District", be substituted.

Published in Raj. Raj-patra Dated March 20, 1958 part IV (c) at page 140 :

(Authorised by the Governor)

LAW AND JUDICIAL DEPARTMENT 'B'

NOTIFICATION

Jaipur, March 19, 1958,

No. D. 864/F. 1 (12) LJ/B/57 (I).—In exercise of the powers conferred by sub-section (1) of section 7, sub section (1) of section 12 and section 19 of the Rajasthan Civil Courts Ordinance, 1950. (7 of 1950), the State Government is pleased to direct that the following further amendment shall be made in Law and Judicial Department Notification No. 940 F. 1 (12) LJ/B/57 (I) dated the 11th March, 1957, namely:—

AMENDMENT

In clause (1) of the said notification, the words "for a period of one year" shall be deleted.

This shall have effect as from the 10th March, 1958.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

PECUNIARY JURISDICTION.

Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I at page 185 :

Jaipur, June 2, 1950,

No. F-1 (45)-Jud./50.—In exercise of the power conferred by clause (a) of the proviso to sub-section (1) of sec. 19 of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to direct that with effect from the 1st day of July, 1950, the Civil Judges of Churu, Kishangarh, Tonk, Gaugapur, Dholpur, Jhunjhunu, Jaisalmer, Merta, Balotra, Sirohi, Bundi, Jhalawar, Baran, Dungarpur and Banswara shall, in virtue of their office, exercise jurisdiction in respect of all suits and original proceedings of which the value is less than twenty thousand rupees,

Jaipur, November 29, 1951.

No. F. 1 (69) Jud./51.—In exercise of the powers conferred by clause (a) of the proviso to sub-section (1) of section 19 of Rajasthan Civil Courts Ordinance, 1950, and in modification of the Judicial Department Notification No. F. 1 (45) Jud. 50, dated June 2, 1950, (published in the Rajasthan Gazette Extraordinary Part I, dated June 14, 1950), the Government of Rajasthan is pleased to direct that with effect from the 2nd January, 1952.—

(1) the Civil Judges of Jaisalmer and Dungarpur shall cease to exercise in virtue of their office, Jurisdiction in respect of all suits and original proceeding of which the value is more than ten thousand rupees;

(2) the Civil Judge, Udaipur having jurisdiction over whole of the Udaipur and Dungarpur Districts and the Civil Judge, Jodhpur having jurisdiction over whole of the Jodhpur and Jaisalmer Districts shall, in virtue of their office, exercise jurisdiction in respect of all suits and original proceedings of which the value is more than rupees ten thousand but is less than rupees twenty thousand.

By Order of
His Highness the Rajpramukh,
ANOP SINGH,
Secretary to the Government.

Published in Raj. Raj-patra Vol. 3 No. 135 Dated 5-1-52 part I at page 833 :

Jaipur, December 11, 1951.

No. F. 1 (74) JUD./51.—In exercise of the powers conferred by clause (a) of the proviso to sub-section (1) of section 19 of the Rajasthan Civil Courts Ordinance, 1950, and in partial modification of Judicial Department Notification No. F. 1 (45) Jud./1950, dated June 2, 1950, (published in the Rajasthan Gazette Extraordinary Part I, dated the 14th June, 1950), the Government of Rajasthan is pleased to direct that the Civil Judge, Jhunjhunu, shall cease to exercise, in virtue of office, jurisdiction in respect of all suits and original proceedings of which the value is more than ten thousand Rupees.

By Order of
His Highness the Rajpramukh,
ANOP SINGH,
Secretary to the Government.

Published in Raj. Raj-patra Vol. 4 No. 97 Dated 6-9-52 at page 513 :

JUDICIAL DEPARTMENT.

NOTIFICATIONS.

Jaipur, August 25, 1952

No. F. 3 (14) Jud./52.—In exercise of the power conferred by Clause (a) of the proviso to sub section (1) of section 19 of the Civil Courts Ordinance, 1950, and in supersession of the Judicial Department Notification No F. 1 (45) Jud./50, dated the 2nd June, 1950, published in the Rajasthan Gazette Part I of June 14, 1950, the Government of Rajasthan is pleased to direct that with immediate effect the jurisdiction of all the Civil Judges who exercise the powers of Additional Sessions Judges shall in virtue of their office, extend to all suits and original proceeding without restriction as regards value.

Published in Raj. Raj-patra Dated December 27, 1952 part I at page 895 :

Jaipur, December 18, 1952. *

No. F. 1 (103) Jud./52 (IV).—In exercise of the power conferred by clause (a) of the proviso to sub-section (1) of section 19, of the Civil Courts Ordinance, 1950, and in continuation of the Judi-

ial Department Notification No. F. 3 (14) Jud./ 52, dated the 25th August, 1952, (published in the Rajasthan Gazette, Part I, dated 6th September, 1952) the Government of Rajasthan is pleased to direct that with effect from the 2nd January, 1953, the Civil Judge at Sikar shall, in virtue of his office, exercise jurisdiction in respect of all suits and original proceedings without restriction as regards value.

SMALL CAUSE POWERS

*Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I at page 186 :
Jaipur, June 2, 1950.*

No. F-1 (46)-Jud./50.—In exercise of the power conferred by section 24 of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to invest with effect from the 1st day of July, 1950, the following Civil Judges in virtue of their office with the jurisdiction of a Judge of a Court of Small Causes under the Rajasthan Small Cause Courts Ordinance, 1950, for the trial of suits cognisable by such Courts upto two hundred rupees in value, to be exercised within the local limits specified below opposite each of them:—

1. Civil Judge at Churu	Churu Town.
2. Civil Judge at Bikaner	Bikaner City.
3. Civil Judge at Ganganagar	Ganganagar Town.
4. Civil Judge at Jaipur City	Jaipur City.
5. Civil Judge at Sambhar	Sambhar Town.
6. Civil Judge at Alwar	Alwar Town.
7. Civil Judge at Bharatpur City	Bharatpur Town.
8. Civil Judge at Kishangarh	Kishangarh Town.
9. Civil Judge at Tonk	Tonk Town.
10. Civil Judge at Gangapur	Gangapur Town.
11. Civil Judge at Dholpur	Dholpur Town.
12. Civil Judge at Jhunjhunu	Jhunjhunu Town.
13. Civil Judge at Jaisalmer	Jaisalmer Town.
14. Civil Judge at Sirohi	Sirohi Town.
15. Civil Judge at Jodhpur city	Jodhpur City
16. Civil Judge at Kotah City	Kotah City.
17. Civil Judge at Bundi	Bundi Town.
18. Civil Judge at Jhalawar	Jhalawar Town.
19. Civil Judge at Baran	Baran Town.
20. Civil Judge at Dungarpur	Dungarpur Town.
21. Civil Judge at Banswara	Banswara Town.
22. Civil Judge at Udaipur	Udaipur City.
23. Civil Judge at Bhilwara	Bhilwara Town.

Jaipur, November 29, 1951.

No. F-1 (68) Jud./51.—In exercise of the powers conferred by section 24 of the Rajasthan Civil Courts Ordinance, 1950, and in modification of the Judicial Department Notification No. F-1

(46) Jud./50, dated the 2nd June, 1950, (published in the Rajasthan Gazette Extra-ordinary Part I, dated the 14th June, 1950), the Government of Rajasthan is pleased to withdraw the jurisdiction of the Judge of a Court of Small Causes of the following Civil Judges with effect from the 2nd January, 1952:—

- (1) Civil Judge, Jaipur City.
- (2) Civil Judge, Jodhpur District.
- (3) Civil Judge, Udaipur Sub-Division.

Jaipur, November 29, 1951.

No. F. 3 (35) Jud./51.—In exercise of the powers conferred by section 5 of the Rajasthan Small Cause Courts Ordinance, 1950, the Government of Rajasthan is pleased to establish with effect from the 2nd January, 1952, the following Courts of Small Causes with jurisdiction and places of sitting as noted against their names:—

Name of the Court.	Place of sitting.	Jurisdiction.
(1) Court of Small Causes, Udaipur	Udaipur	Territorial limits of the Courts of Munsifs for Udaipur City and Udaipur District.
(2) Court of Small Causes, Jaipur	Jaipur	Territorial limits of the Courts of Munsifs, Jaipur East and Jaipur West.
(3) Court of Small Causes, Jodhpur	Jodhpur	Territorial limits of the Courts of Munsifs, Jodhpur City and Jodhpur Sub Division.

Published in Raj. Raj-patra Vol. 3 Dated 16-2-52 at page 1254.

RAJASTHAN HIGH COURT, JODHPUR. ORDERS.

Jodhpur, January 21, 1952.

No. 406/Int.—The following Judges of Small Cause Courts are appointed Additional Civil Judges for the Courts noted against them:

1. Judge, Small Cause Court, Jodhpur. Court of the Civil Judge, Jodhpur.
2. Judge, Small Cause Court of Jaipur. Court of the Civil Judge, Jaipur City.
3. Judge, Small Cause Court of Udaipur. Court of the Civil Judge, Udaipur.

Published in Raj. Raj-patra Vol. 3 No. 192 Dated 29-3-52 at page 1186 :

CORRIGENDUM

Jaipur, March 17, 1952.

No. F. 3 (35) Jud./51.—In the Judicial Department Notification No. F. 3 (35) Jud./51, dated the 29th November, 1951 published at page 777 in Part I of the Rajasthan Gazette, dated 8-12-51 (Vol. 3 No. 123) in column 3, read (1) "Munsiff for Udaipur City and Additional Munsif Udaipur" for the words "Munsifs for Udaipur".

pur City and Udaipur district" and (2) "Jodhpur (City) and Jodhpur (District)" for the words "Jodhpur City and Jodhpur Sub-Division".

By Order of
His Highness the Rajpramukh,
SHARDOOL SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra Dated December-6, 1956 part I (a) at page 238 :

LAW AND JUDICIAL (B) DEPARTMENT

NOTIFICATION.

Jaipur, November 26, 1956.

No. F 1(66) LJ (B)/56/1543.—In pursuance of section 5 of the Rajasthan Small Cause Courts Ordinance, 1950 (No. VIII of 1950) and in modification of Judicial Department Notification No. F. 3 (35) Jud/51 dated the 29th November, 1951 of the pre-Reorganisation State of Rajasthan, the State Government hereby directs that with effect from the 1st day of December, 1956, Salumber and Sarada Tehsils of Udaipur District shall be excluded from the territorial jurisdiction of the Court of Small Causes, Udaipur.

By Order of the Governor,
PRABHU DAYAL LOIWAL
Secretary to the Government.

Published in Raj. Raj-patra Vol. 3 No. 101 Dated 20-10-51 at page 633 :

Jaipur, October 4, 1951.

No F. 1 (46) Jud/51.—In exercise of powers conferred by section of the Rajasthan Civil Courts Ordinance, 1950, and in further modification of the Judicial Department Notification of even number, dated June 2, 1950, published in the Rajasthan Gazette, Extraordinary, Part I, dated the 14th June, 1950, the Government of Rajasthan is pleased to invest with effect from 2nd November, 1951, the following Civil Judges, in virtue of their office with the jurisdiction of a Judge of a Court of Small Causes under the Rajasthan Small Causes Courts Ordinance, 1950, for the trial of suits cognisable by such Courts upto rupees two hundred fifty in value to be exercised within the limits specified below against each of them:—

- | | | |
|---|-----------------------|--|
| 1 | Civil Judge Churn, | Rajgarh Sub-division. |
| 2 | " " Bikaner. | Bikaner District. |
| 3 | " " Ganganagar. | Ganganagar, Karanpur and Raisinghnagar Sub-divisions. |
| 4 | " " Ratangarh. | Ratangarh Sub-division. |
| 5 | " " Suratgarh. | Nohar and Sadulgarh Sub-divisions. |
| 6 | " " Jaipur (District) | Jaipur Sub-division except Jaipur City, Amber Sub-division and Phagi Tehsil. |
| 7 | " " Sambhar. | Phulera Sub-division except Phagi Tehsil. |

8	"	"	Sikar.	Sikar Sub-division.
9	"	"	Tonk.	Tonk Sub-division.
10	"	"	Kishangarh.	Kishangarh Sub-division.
11	"	"	Bundi.	Bundi Sub-division.
12	"	"	Alwar	Alwar Tehsil.
13	"	"	Bharatpur.	Bharatpur, Bayana and Deeg Sub-divisions.
14	"	"	Dholpur.	Gird and Rajakhara Tehsils.
15	"	"	Gangapur.	Gangapur Sub-division.
16	"	"	Kotah.	Kotah City, Ladpura, Barod and Digod Tehsils and Indergarh.
17	"	"	Baran.	Baran Sub-division excluding Mangroal Tehsil.
18	"	"	Jhalawar.	Jhalawar Sub-division excluding Jhalapatan and Pirawa Tehsils.
19	"	"	Dungarpur	Dungarpur Aspur and Kherwara Tehsils.
20	"	"	Banswara.	Banswara Sub-division.
21	"	"	Bhilwara.	Bhilwara and Mandal Tehsils.
22	"	"	Partapgarh.	Partapgarh Sub-division.
23	"	"	Nimbahera.	Nimbahera Sub-division except Chhoti and Bari Sadri Tehsils.
24	"	"	Shahpura.	Shahpura Sub-division of Bhilwara District.
25	"	"	Jaisalmer	Jaisalmer Sub-division
26	"	"	Sirohi.	Sirohi district
27	"	"	Pali.	Pali Tehsil.
28	"	"	Merta.	Merta Tehsil.
29	"	"	Balotra.	Balotra Sub-division.

The above notification stands amended through various amending notifications issued by the Government or the High Court from time to time.

(1) Notification No. F.1.(46) Jud/51 dated 10/12/51 published in Rajasthan Raj-patra Vol. 3 No. 35 Part I dated, 5/1/52 :—

Local limits of item No. 18 shall be the local limits of the territorial jurisdiction of the Munsiff, Jhalarapatan.

(2) Notification No. F.1. (46) Jud/51 dated 23/9/53 published in Rajasthan Raj-patra part I dated 3/10/53 :—

The territorial jurisdiction of item No. 5 has been revised and shall extend to Suratgarh, Anupgarh and Raisinghnagar Tehsils. only. w. e. f. 1-10-1953.

(3) Notification No. 2/c dated 12/6/54 published in Rajasthan Raj-patra Part I (B) dated 3/7/54, from High Court :—

Jurisdiction of item No. 11 shall extend over Nainwa Sub-Division also w. e. f. 1-7-54.

(4) Notification No. 1/c dated 3/1/55 published in Rajasthan Raj-patra Part I (B), dated 15/1/55 from High Court :—

CIVIL JUDGES.

Civil Judge.	Jurisdiction	w.e.f.	Notifications. No.	Date	Gazette Reference No.	Date	Remarks.
at	3	4	5		6	7	
1. Jhunjhunu	Jhunjhunu District	3-10-51	F. 1. (46)	Jud. 50 of 10-9-51	Vol. 3 No. 90 of 22-9-51		From Government.
2. Nimka thana	Danta Ram-Garh and Nimka-thana Tehsils	—do—			—do—		The notification at No. 4 also further invests Civil Judge with the same powers
3. Sojat	Sojat Sub Division	1-3-52	F. 1. (46)	Jud. 51 of 9-2-52			From Government.
4. Nagaur	Of Office	1-7-53	F. 1. (29)	Jud. 53 (II) of 3-6-53	Part I of 13-6-53		From Government.
5. Jalore (Senior)	Munsiff Jalore	1-5-55	No. 4 of 2-8-55		Part I (B) of 13-8-55		From High Court.
6. Chittorgarh	Of Office	1-7-57	1/57 of 9-5-57		Part IV (C) of 20-6-57		From High Court.

Published in Raj. Raj-patra Vol. 3 No. 101 Dated 20-10-51 at page 634 :

Jaipur, October 4, 1951.

No. F. 1 (48) *Jud. 51*—In exercise of power conferred by section 24 of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to invest with effect from 2nd November, 1951, the following Munsifs, in virtue of their office, with the jurisdiction of a Judge of a Court of Small Causes under the Rajasthan Small Causes Courts Ordinance, 1950, for the trial of suits cognizable by such Courts upto rupees one Hundred in value, to be exercised within the limits specified below against each of them:—

(1) Munsif Karauli ..	Karauli Sub-Division.	(7)	Jalore...	Jalore Tehsil.
(2) " Dausa ...	Dausa and Lalsot Tehsils.	(8)	Sanchore	Sanchore Tehsil.
(3) " Shahpura	Shahpura Sub-Division	(9)	Bali...	Bali Tehsil.

Jaswantpura Tehsil.
 Bhinnal
 Parbatsar Tehsil.
 Parbatsar
 Rajsamand Sub-Division
 Rajsamand
 and Khamnor Tehsil.
 By Order of
 His Highness the Rajpramukh.
 ANOP SINGH,
Secretary to the Government.

COMMENTARY

In exercise of powers conferred by section 24 of the Rajasthan Civil Courts Ordinance, 1950, delegated to the High Court vide Government Notification No F. 1. (1) Jud./52 dated 3/3/52, the High Court has invested from time to time the Munsiff by virtue of their office with the jurisdiction of a Judge of a Court of Small cause under the Rajasthan Small Cause Courts Ordinance, 1950 for the trial of suits Cognizable by such Court upto Rs. 100/- in value to be exercised within the limits, of their territorial jurisdiction. A summary of notification so issued is given in the appended Chart.

MUNSIFFS.

Sl. No.	Munsiff at	Jurisdiction	w.e.f.	Notifications No.	Date	Gazette	
						Reference	Date
1.	Bilara.	Of Office.	1-9-1952	27 of 12-8-52		Part II of 31-1-53	
2.	Nawa.	do	do	do		do	
3.	Jetaran.	do	do	do		do	
4.	Desuri.	do	do	do		do	
5.	Bandikui	do	do	do		do	
6.	Sirohi.	do	1-2-53	5 of 16-1-53		Part II of 7-2-53	
7.	Balotra.	do	do	13 of 11-2-53		Part II of 28-2-53	
8.	Merta.	do	1-8-53	3 of 24-7-53		Part II of 8-8-53	
9.	Jalore	do	1-10-55	5 of 14-10-55		Part I (A) of 12-11-55	

MUNSIFFS

*Published in Raj. Raj-patra Vol.2 No.26 Dated June 14, 1950 part I at page 189 :
Jaipur, June 2, 1950.*

No. F-1 (50) Jud./50.—In exercise of the powers conferred by sub-section (1) of section 7 and sub-section 1 of section 12 of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to direct that with effect from the 1st day of July, 1950, there shall be eighty-four Munsiffs for the whole of Rajasthan with the places of headquarters, and the territorial limits of jurisdiction, of their courts as indicated in the following table, namely:—

<i>S. No. Place of Headquarter. Extent of territorial jurisdiction.</i>	
Bikaner Division.	
1 Bikaner City	Bikaner City.
2 Sadulgarh	Sadulgarh Sub-division (Sadulgarh and Suratgarh tehsils).
3 Bhadra	Nohar Sub-division (Bhadra and Nohar tehsils).
4 Churu	Rajgarh Sub-division (Rajgarh, Churu and Taranagar tehsils).
Jaipur Division.	
5 Jaipur City	Eastern part of the city of Jaipur.
6 Jaipur City (Additional)	Western part of the city of Jaipur.
7 Jaipur (District)	Jaipur Sub-division excluding Jaipur city, Amber Sub-division and Phagi tehsil.
8 Dausa	Dausa and Lalsot tehsils.
9 Bandikui	Baswa (Bandikui) and Sikrai tehsils.
10 Shahpura (Jaipur District)	Shahpura Sub-division (Kotputli and Bairath tehsils).
11 Kishangarh	Kishangarh Sub-division.
12 Tonk	Tonk Sub-division.
13 Malpura	Malpura Sub-division.
14 Sawai Madhopur	Sawai Madhopur Sub-division.
15 Karauli	Karauli Sub-division.
16 Gangapur (Sawai Madhopur District)	Gangapur Sub-division.
17 Hindaun	Hindaun Sub-division.
18 Bharatpur	Bayana and Deeg Sub-divisions.
19 Dholpur	Gird and Rajakhara tehsils.
20 Bari	Bari and Baseri tehsils.
21 Alwar	Alwar tehsil excluding Alwar city
22 Lachhmangarh	Lachhmangarh tehsil.
23 Rajgarh	Rajgarh tehsil.

24	Thana Gazi	Thana Gazi tehsil.
25	Behror	Behror Sub-division.
26	Tijara	Tijara Sub-division (Tijara, Kotkasim and Mandawar tehsils).
27	Khetri	Khetri Sub-division.
28	Neem-ka-thana	Neem-ka-thana Sub-division.
29	Jhunjhunu	Jhunjhunu Sub-division and Udaipur Sub-division.
Jodhpur Division.		
30	Jodhpur	Jodhpur city.
31	Jodhpur	Jodhpur Sub-division (excluding Jodhpur city and Bilara tehsil).
32	Phalodi	Phalodi tehsil.
33	Bilara	Bilara tehsil.
34	Barmer	Barmer Sub-division (Barmer and Sheo tehsils).
35	Balotra	Balotra Sub-division (Pachbhadra and Siwana tehsils).
36	Jalore	Jalore tehsil.
37	Sanchoe	Sanchoe tehsil.
38	Bhinmal	Jaswantpura tehsil.
39	Sojat	Sojat tehsil.
40	Sojat (Additional)	
41	Bali	Bali tehsil.
42	Desuri	Desuri tehsil.
43	Jaitaran	Jaitaran Sub-division (Jaitaran and Sendra tehsils),
44	Nagaur	Nagaur tehsil.
45	Parbatsar	Parbatsar tehsil.
46	Merta	Merta tehsil.
47	Nawa	Nawa tehsil.
48	Didwana	Didwana tehsil.
49	Jaisalmer	Jaisalmer Sub-division.
50	Bap	Bap Sub-division.
51	Sirohi	Sirohi District.
Kotah Division.		
52	Kotah	Kotah city, Ladpura tehsil and Indergarh.
53	Sultanpur	Behror and Degod tehsils.
54	Itawa	Itawa tehsil and Pipalda tehsil excluding Indergarh.
55	Ramganj Mandi	Ramganj Mandi and Chechat tehsils.
56	Sangod	Sangod and Kanwas tehsils.
57	Mangrol	Mangrol tehsil.
58	Baran	Baran Sub-division excluding Mangrol tehsil.
59	Atru	Atru tehsil.
60	Chhipa Barod	Chhabra and Chhipa Barod tehsils.

61	Sironj	Sironj Sub division.
62	Bundi	Bundi Sub-division (Bundi, Talera and Patan Tehsils).
63	Nainwa	Nainwa Sub-division (Nainwa, and Hindoli tehsils).
64	Bhawani Mandi	Gangdhar, Dag and Pachpahar tehsils.
65	Jhalrapatan	Jhalrapatan and Pirawa tehsils.
66	Aklara	Aklara Sub-division excluding Khanpur tehsil.
67	Khanpur	Khanpur tehsil.
		Udaipur Division.
68	Udaipur	Udaipur City.
69	Udaipur (Additional)	Girawa tehsil and Phalasia Sub-division (Kotra, Phalasia and Saira tehsils).
70	Mavli	Unthala Sub-division excluding Lasadia tehsil.
71	Rajsamand	Khamnor tehsil and Rajsamand Sub-division (Rajsamand, Relmagra, Kumbhalghar and Amet tehsils).
72	Bhim	Bhim Sub-division (Bhim and Deogarh tehsils).
73	Salumber	Salumber and Sarade tehsil.
74	Kanod	Lasadia tehsil.
75	Sagwara	Sagwara tehsil.
76	Chittorgarh	Chittorgarh and Begun Tehsils.
77	Kapasan	Kapasan tehsil.
78	Chhoti sadri	Chhoti Sadri and Badi Sadri tehsils.
79	Bhilwara	Bhilwara and Mandal Tehsils.
80	Gangapur (Bhilwara District)	Sahada, Raipur and Karera Tehsils.
81	Banera	Banera Tehsil and Hurda Sub-division (Hurda, Asind, Badnor Tehsils).
82	Mandalgarh	Mandalgarh Sub division.
83	Dungarpur	Dungarpur, Aspur and Kherwara Tehsils.
84	Banswara	Banswara District.

Note :—The expressions “district ” “sub-division,” and “Tehsil” refer respectively to the districts, sub-divisions and Tehsils formed under the Rajasthan Territorial Divisions Ordinance, 1949.

By Order of
His Highness the Rajpramukh.
PRABHU DAYAL LOIWAL,
*Secretary to the Government of Rajasthan
in the Judicial Department.*

The above notification Stands amended as indicated in the Chart appended hereto through various Notifications issued by the Government from time to time:—
C H A R T.

CHANGE

Item Number	Notification No.	Date	Gazette Reference	5
	2	3	4	
1	F. 3 (34) Jud/51	28th Nov., 1951	Vol. No. 3 Part I No. 123 Dated 8-12-51 Part I (A) dated 13-8-55	Jurisdiction Shall extent over the whole of Bikaner District. The existing name Shall be changed into that of the Court of Munsiff, Hanuman-garh.
2	F. 1. (7) Jud/55	27th July, 1955	Part I dated 13-6-53	Shall be abolished and transferred to Senior Civil Judge, Churn with effect from 1st July, 1953.
4	F. 1. (29) Jud/53 (I)	3rd June, 1953	Vol. 2 Part I No. 66 dated 7-10-50	The brackets and word "(East)" Shall be added after the words "Jaipur City," in the second column.
5	F. 1. (50) Jud/50	19th Sept. 1950	Vol. 2 Part I No. 66 date 7-10-50	The word "west" shall be substituted for the word "Additional" accuring in the second column.
6	F. 1. (50) Jud/50	19th Sept. 1950	Vol. 2 No. 30 Part I dated 1-7-50 Part I of 13-6-1953	The head quarters of the Court shall be at Kotputli instead of at Shahpura.
10	F. 1. (53) Jud/50	27th June, 1950		Shall be abolished and transferred to senior Civil Judge, Kishangarh w. e. f. 1st July, 1953.
11	F. 1. (29) Jud/53 (I)	3rd June, 1953		

12	—do—	—do—	—do—	Shall be abolished and transferred to Senior Civil Judge, Tonk w. e. f. 1st July, 1953.
18	F. 1. (62 Jud/54 (I)	21st May, 1955	Part I (A) of 11-6-55	Shall be abolished w.e.f. 1st July, 1955 and two new courts established at Baryana and Deeg
19	F. 1. (29) Jud/53	1st Oct., 1954	Part I (A) 16-10 1954	Jurisdiction of item No. 20 (Bari) added w. e. f. 1st November 1954.
20	—do—	—do—	—do—	Shall be abolished and transferred to item No. 19 (Dholpur, w.e.f. 1st Nov. 1954.
21	F. 3. (34) Jud/51	28th Nov., 1951	Vol 3 No. 123 Part I of 8-12-1951	Jurisdiction shall extend over whole of Alwar Tehsil including Alwar City w. e. f. 2nd January, 1952.
26	F. 1. (53) Jud/50	29th June, 1950	Vol. 2 No. 30 Part I of 1-7-1950	The headquarters of the Court shall be at Kishangarh (Alwar District) instead of at Tijara.
27(i)	F. 1. (50) Jud/50	19th June, 1951	Vol. 3 No. 57 Part I of 21-6-1951	The jurisdiction of Khetri Sub-Division shall be as reformed by the Government w.e.f. 4th July, 1951.
(ii)	F. 1. (50) Jud/50	8th Sept. 1951	Vol. 3 No. 90 of 22-9-1951	Shall be abolished and transferred to Civil Judge Jhunjhunu w. e. f. 3/X/51.
28(i)	F. 1. (50) Jud/50	19th June 1951	Vol. 3 No. 57 Part I of 21-6-1951	Jurisdiction of Nim ka-thana Sub-Division shall be as reformed by the Government w. e. f. 4th July, 1951.
(ii)	F. 1. (29) Jud/53 (I)	3rd June, 1953	Part I of 13-6-1953	Shall be abolished and transferred to Civil Judge, Nim-ka-thana w. e. f. 1st July 1953.

29(i) F.1. (50) Jud/50	19th June, 1951	Vol. 3 No. 57 Part I of 21-6-1951	Jhunjunu and Udaipur Sub-Divisions shall be as reformed by the Government w. e. f. 4th July 1951.
(ii) —do—	8th Sept. 1951	Vol. 3 No. 90 of 22-9-1951	Shall be abolished and Jhunjunu District transferred to Civil Judge Jhunjunu w. e. f. 3rd Oct. 1951.
30 F. 1. (50) Jud/50	19th Sept. 1950	Vol. 2 Part I No. 60 of 7-11-1950	The brackets and word "(City)" shall be added after the word "Jodhpur" occurring in the second column.
31(i) —do—	—do—	—do—	The brackets and word "(District)" shall be added after the word "Jodhpur" occurring in the second Column.
(ii) F. 1. (25) Jud/55	26th April 1956	Part I (A) of 19-5-56	The revised jurisdiction w. e. f. 1st June, 1956 shall extend to Tehsils of Shergarh, Osiyan and Jodhpur (excluding Jodhpur City).
32(i) F. 1. (50) Jud/50	28th May, 1951	Vol. 3 No. 50 Part I of 9-6-51	Bap Sub-Division of item No. 50 shall be added with w. e. f. 4th June, 1951.
(ii) F. 1. (33) Jud/54	20th May, 1955	Part I (A) of 20-8-55	The revised jurisdiction shall extend to Phalodi Tehsil of Jodhpur District and Pokaran and Nachana Tehsils of Jaisalmer District.
34(i) F. 3. (14) Jud/51	25th April 1952	Vol. 4 No. 36 Part I of 10-5-1952	The revised jurisdiction shall extend to Barmer and Sheo Tehsils except 30 villages under Police Station, Jasol.
(ii) F. 1. (25) Jud/55	27th May, 1957	Part 4 (C) of 20-6-57	The revised jurisdiction w. e. f. 1st July, 57 shall extend to Revenue Tehsils of sheo, Barmer and Chohatan.

35(i)	F. 3. (14)	Jud/51	25th April, 1952	Vol. 4 No. 36 Part of 10-5-1952	The revised jurisdiction shall extend to Balotra Sub-Division and Jasol Police Station of Barmer District.
(ii)	F. 1. (27)	Jud/54 (I)	10th Feb. 1955	Part I (A) of 26-2-55	Shall be abolished and transferred to Court of Civil Judge, Balotra w. e. f. 1st May 1955.
36(i)	F. 1. (29)	Jud/53 (I)	3rd June, 1953	Part I of 13-6-53	Abolished w. e. f. 1st July, 1953
(ii)	F. 1. (27)	Jud/54 (I)	10th Feb, 1955	Part I (A) of 26-2-55	Re-established w. e. f. 1st May, 1955 with jurisdiction over Jalore Tehsil.
(iii)	F. 1. (25)	Jud/55	26th April, 1956	Part I (A) of 19-5-56	Revised jurisdiction w. e. f. 1st June, 1956 shall extend to Jalore and Ahore Tehsils.
39		—do—	—do—	—do—	Revised jurisdiction shall extend to re-constituted Tehsil of Sanchoore w. e. f. 1st June, 1956
		—do—	—do—	—do—	Revised jurisdiction w. e. f. 1st June, 1956 shall extend to Revenue Tehsils of Sojat and Kharchi.
40	F. 1. (50)	Jud/50	9th Feb, 1952		Abolished w. e. f. 1st March 1952 and transferred to Civil Judge, Sojat.
43	F. 1. (2)	Jud/55	26th April, 1956	Part I (A) of 16-5-56	Revised jurisdiction w. e. f. 1st June, 1956 shall extend to Revenue Tehsils of Jetaran, Sendra and Raipur.
44	F. 1. (29)	Jud/53 (I)	3rd June, 1953	Part I of 13-6-1953	Shall be abolished and transferred to Civil Judge, Nagaur w. e. f. 1st July 1953.
46	F. 1. (25)	Jud/55	26th April, 1956	Part I (A) of 19-5-56	Revised jurisdiction w. e. f. 1st May, 1956 shall extend to Revenue Tehsils of Merta and Degana.

48.	—do— F. 1 (30) Jud/50	28th Nov. 1951	Vol. 3 No. 123 Part I of 8-12-51	Revised jurisdiction w. e. f. 1st May, 1956 shall extend to Revenue Tehsils of Didwana and Ladnu.
49.	F. 3. (34) Jud/51	28th May, 1951	Vol. 3 No. 50 Part I of 9-6-51	Shall be abolished and transferred to Civil Judge, Jaisalmer w. e. f. 2nd Jan, 1952.
50.	F. 1. (50) Jud/50 (I)	26th June, 1950	—	Shall be abolished and transferred to item No. 32 (Phalodi) w. e. f. 4th June 1951.
52(i)	F. 1. (50) Jud/50	17th Nov. 1950	Vol. 2 No. 83 Part I	Revised jurisdiction shall extend to Kotah City, Lادپورا Tehsil and Indergarh Sub- Tehsil (Former Indergarh kotr).
(ii)	—do—	17th July, 1953	Part I of 25-7-53	Jurisdiction of item No. 53 (Sultanpur) shall be added w. e. f. 25th Nov. 1950.
(iii)	F. 1. (29) Jud/53	17th Nov. 1950	Vol. 2 No. 83 Part I	Jurisdiction of item No. 55 (Ramganj-Mandi) shall be added w. e. f. 1st August 1953.
53.	F. 1. (50) Jud/50	17th July, 1951	Vol. 3 No. 72 Part I	Shall be abolished and transferred to item No. 52 (Kotah) w. e. f. 25/11/50.
54	F. 1. (50) Jud/50	17th July, 1951	Vol. 3 No. 72 Part I	I Shall be abolished and transferred to item No. 7 (Mangrol) w. e. f. 1st Aug. 1951.
55(i)	F. 1 (50) Jud/50	17th July, 1951	Vol. 3 No. 72 Part I	Revised jurisdiction w. e. f. extended to Chéchat Sub-Division, item No. 56 (Sangódi) shall be added.
(ii)	F. 1 (29) Jud/53	17th July, 1953	Part I of 25/7/53	Shall be abolished and transferred to No. 52 (Kotah) w. e. f. 1st Aug. 1953.
56	F. 1 (50) Jud/50	17th July, 1951	Vol. 3 No. 72 Part I	Shall be abolished and added to item No. 55 (Ramganj Mandi) w. e. f. 1st Aug. 1951.

(i) F. 1 (50) Jud/50	17th July, 1951	Vol. 3 No. 72 Part I	Jurisdiction of item No. 54 (Itawa) added w. e. f. 1st August 1951.
(ii) F. 1 (29) Jud/53	17th July, 1953	Part I of 25/7/53.	Abolished and transferred to item No. 58 (Baran) w. e. f. 1st August, 1953.
58(i) —do—	—do—	—do—	Jurisdiction of item No. 5 (Mangrol) added w. e. f. 1st August 1953.
(ii) F. 1. (66) Jud/54	19th May, 1954	Part I (A) of 11/6/55	Chhipa Baroad Tehsil of item No. 66 (Aklera) added w. e. f. 1st July, 1955.
59 F. 1 (50) Jud/50	31st July 1951	Vol. 3 No. 72 Part 1	Abolished and transferred to item No. 60 (Chhipa Baroad) w. e. f. 1st Aug. 1951.
60(i) —do—	—do—	—do—	Jurisdiction of item No. 59 (Atru) added w. e. f. 1st August, 1951.
(ii) F. 1 (29) Jud/53	17th July, 1953	Part I of 25/7/53	Abolished and Chhipa Baroad Tehsil transferred to item No. 66 (Aklera) and Chhabra and Atru Tehsils transferred to item No. 58 (Baran) w. e. f. 1st August 1953.
62 —do—	—do—	—do—	Jurisdiction of item No. 63 (Nainwa) shall be added w. e. f. 1/8/53.
63 —do—	—do—	—do—	Shall be abolished and transferred to item No. 62 (Bundi) w. e. f. 1/8/53.
65(i) F. 1 (50) Jud/50	8th Feb. 1951	Vol. 2 Part I	The words "Jhalrapatan, Bakani, and Pirawa Tehsils" shall be Substituted in column No. 3.
(ii) F. 1 (23) Jud/54	12 Oct. 1954	Vol. 6 No. 100 Part I 23/10/54	Shall be abolished and transferred to Civil Judge, Jhalawar w. e. f. 1st Nov. 1954.
66(i) F. 1 (50) Jud/50	8th Feb., 1951	Vol. 2 Part I	The words "Aklera Sub-Division excluding Khanpur and Bakani Tehsils" shall be substituted in Column No. 3.

(ii) F. 1 (50) Jud/50	26th Oct., 1951	Vol. 3 No. 110 of 10/11/51	Revised jurisdiction Shall extend to Aklera Sub-Division excluding Bakani Tehsil w. e. f. 1/12/51.
(iii) F. 1 (29) Jud/53	17th July, 1953	Part I of 25/7/53	Chhipa Baroad Tehsil of item No. 60 shall be added w.e.f. 1st August 1953.
(iv) F. 1 (66) Jud/54	19th May 1955	Part I (A) of 11/6/55	Chhipa Baroad Tehsil shall be transferred to item No. 58 (Baran) w.e.f. 1st July, 1955.
67 F. 1 (29) Jud/53	17th July, 1953	Part I (A) of 25/7/53	Shall be abolished and transferred to item No. 66 (Aklera) w.e.f. 1st August, 1953.
68 F. 1 (26) Jud/54	10th May, 1954	Part I (B) of 22/5/54	The jurisdiction of item No. 69 (Udaipur Additional) shall be added w.e.f. 1st July 1954.
69(i) F. 1 (50) Jud/50	28th Sept. 1951	Part I (B) of 22/5/54	Jurisdiction of item No. 73 (Salumbar) shall be added with immediate effect.
(ii) F. 1 (26) Jud/54	10th May, 1954	Part I (B) of 22/5/54	Shall be abolished and transferred to item No. 68 (Udaipur) w.e.f. 1st July, 1954.
70 F. 1 (53) Jud/50	27th June, 1950	Vol. 2 No. 30 Part I of 1/7/1950.	Sub-tehsils of Kanod and Bhinder shall be excluded and transferred to item No. 74 (Kanod).
71 F. 1 (50) Jud/50	25th Sept. 1951	Vol. 3 No. 97 Part I of 6/10/51.	Khannor Tehsil shall be excluded and a new Munsiff at Nathdwara shall be established w.e.f. 15/10/51
73(i) F. 1 (50) Jud/50	28th Sept. 1951		Shall be abolished and transferred to item No. 69 (Udaipur Additional).
(ii) F. 1 (64) Jud/54/B/1005	27th Oct. 1956.	Part I (B) of 8/11/56	Shall be re-established w.e.f. 1/11/56.

The Government of Rajasthan in exercise of the powers conferred by Sub-section (1) of section 7 and Sub-section (i) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 and in modification of Judicial Deptt. Notification No. F. 1. (50) Jud/50-dated 2nd June, 1950 published in Rajasthan Gazette Extra Ordinary Part I dated 14th June 1950 (Vol. 2 No. 26) has established new courts of Munsiffs as under :—

Sl. No.	Place of Head-quarter	Extent of territorial jurisdiction	Notification Reference	Gazette Reference	Remarks.
1	2	3	4	5	6
1	Kanod, Munsiff Dungla.	Dungala Tehsil. (Udaipur Division)	F. 1. (44) Jud/50 dated 14-2-52.		w.e.f. 1-3-52.
2	Sikar,	Sikar Sub-Division (Jaipur Division)	F. 1. (103) Jud/52 (VI) dated 18/12/52 w. e. f. 2/1/53	Part I. of Jurisdiction extended to Fatehpur Sub-Division also vide Notification of even number dated 18/2/53 Gazette dated 21/2/53.	
3	Nathdwara	Khannor Tehsil (Udaipur District)	F. 1. (50) Jud/50 dated 1/5/53 w.e.f. 1/3/53.	Part I. of 9/5/53	Temporarily established from 15/10/51 to 29/2/52 vide Notification No. F. 1. (50) Jud/50 dated 25/9/51; published in Vol. 3 No. 97 Part I.
4	Bayana	Bayana Sub-Division (Jaipur Division)	No. F. 1. (62) Jud/54 (I) dated 21/5/55.	Part I. (A) dated 11/6/55	w.e.f. 1/7/55.
5	Deeg	Deeg Sub-Division (Jaipur Division)	Do	Do	Do
6	Shahpura	Bairath Tehsil (Jaipur Division)	F. 1. (58) Jud/53 (1) dated 15-9-53	Vol. 5 No. 85 Part I. of 15-9-53	w.e.f. 18/9/53.
7	Kushalgarh	Tehsils of Kushalgarh and Bagi	F. 1. (50) Jud/50 dated 27-9-51	Vol. 3 No. 97	Temporarily established vide Notification of

Dora (Bans- w. e. f.
wara (Dist- 1-10-51.
riect)

even number
dated 14-11-50
Gazette Vol. 2
No. 83. Part I.

*Published in Raj. Raj-patra Vol.2 No. 30 Dated July 1, 1950 part I at page no.2 :
Jaipur, June 29, 1950.*

No. F-1 (40) Jud./50.—In exercise of the powers conferred by sub-section (1) of section 7 and sub-section (1) of section 12 of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan is pleased to establish with effect from the 1st day of July, 1950, the following additional temporary courts of Munsiffs to assist in the disposal of arrears of work:—

S. No.	Name of Court	Head- quarters	Extent of territorial Jurisdiction
1	Additional Munsiff	Jodhpur	Jodhpur Sub-division.
2	—do—	Udaipur	Udaipur —do—
3	—do—	Jaipur	Jaipur —do—
4	—do—	Nim-ka- thana	Nim-ka-thana Sub-division.

2. The Government is further pleased to order that the aforesaid courts shall hear only such case or class of cases as may be transferred to them under the directions of the High Court.

NOTIFICATIONS UNDER SEC. 21.

Published in Raj. Raj-patra Vol. 2 Dated 15-7-50 at page 195 :

RAJASTHAN HIGH COURT, JODHPUR.

NOTIFICATION

Jodhpur, June 6, 1950.

No. 9/N/Misc.—In exercise of the powers conferred by sub-section (4) of section 21 of the Rajasthan Civil Courts Ordinance, 1950. and with the previous sanction of the Government of Rajasthan, the High Court of Judicature for Rajasthan is pleased to direct that with effect from 1st day of July, 1950, appeals from the decrees and orders of Munsifs sitting within the area specified in column 1 of the following table shall lie respectively to the courts of Civil Judges mentioned in juxtaposition in column 2 thereof, namely:—

Areas.	Court of Civil Judge.
1. Churu District	Court of Civil Judge at Churu.
2. Kishangarh Sub- Division	" " " Kishangarh
3. Tonk Sub-Division	" " " Tonk
4. Sawai Madhopur District	" " " Gangapur
5. Dholpur Sub-Division	" " " Dholpur
6. Jhunjhunu District	" " " Jhunjhunu
7. Jaisalmer District	" " " Jaisalmer

8. Nagaur District	"	"	"	Merta
9. Barmer and Jalore District	"	"	"	Balotra.
10. Sirohi District	"	"	"	Sirohi
11. Bundi District	"	"	"	Bundi
12. Jhalawar District	"	"	"	Jhalawar.
13. Baran, Chhabra & Sironj Sub-Division	"	"	"	Baran
14. Dungarpur District and Kherwara Tehsil of Udaipur District	"	"	"	Dungarpur.
15. Banswara District	"	"	"	Banswara.

Note:—The expressions "District" "Sub-Division" and Tehsil" refer to respectively, the districts, sub-division and tehsils as formed under the Rajasthan Territorial Divisions Ordinance, 1949.

MADHO PRASAD GUPTA,
Registrar.

Published in Raj. Raj-patra Dated May 16, 1953 part II at page 170 :

RAJASTHAN HIGH COURT JODHPUR.

NOTIFICATION.

Jaipur, April 19, 1953.

No. 7/Tr. C—In exercise of the powers conferred by section 21 (4) of the Civil Courts Ordinance, 1950 and with the previous sanction of the Government the High Court is pleased to direct that appeals lying to the District Judge under section 21 (2) of the said ordinance from all decrees or orders of the Munsiff Sikar shall be preferred to the Court of the Civil Judge, Sikar.

By Order,
M. L. RAZDAN,
Registrar.

Published in Raj. Raj-patra Dated March 24, 1956 part I (b) at page 1190 :

RAJASTHAN HIGH COURT, JODHPUR

NOTIFICATION

Jodhpur, December 21, 1955.

No. 6.—In exercise of the powers conferred by sub-section (4) of section 21 of the Rajasthan Civil Court Ordinance, 1950, and with the previous sanction of the Government of Rajasthan, the High Court of Judicature for Rajasthan is pleased to direct that with effect from the 1st day of January, 1956, appeals from the decrees and orders of the Munsiffs at Bali and Desuri shall lie to the Court of Senior Civil and Additional Sessions Judge, Sirohi.

M. J. MARDIA,
Registrar.
Rajasthan High Court.
Jodhpur.

NOTIFICATIONS UNDER SECTION 23.

Published in Raj. Raj-patra Vol. 2 Dated 6-1-51 part II at page 65

Rajasthan High Court, Jodhpur.

NOTIFICATION.

Jodhpur, December 13, 1950.

No. 2826/Gen.—In exercise of the powers conferred by section 23 of the Rajasthan Civil Courts Ordinance, 1950 (No. VII of 1950), and section 4A (1) of the Guardian and Wards Act, 1890 (No. VIII of 1890), of the Central Legislature, as adapted to Rajasthan, the High Court of Judicature for Rajasthan is pleased to authorise the Civil and Additional Sessions Judges of Rajasthan to take cognizance of the proceedings under the Guardian and Wards Act, 1890, within their respective territorial jurisdiction.

The District Judges will transfer the proceedings pending in their courts to the Civil and Additional Sessions Judges having jurisdiction in the matter.

By Order,
MADHO PRASAD GUPTA,
Registrar.

Jaipur, January 9, 1951.

No. F. 1 (135) Jud./50.—In exercise of the powers conferred by section 3 (1) of the Provincial Insolvency Act, 1920, as adapted to Rajasthan, the Government of Rajasthan is pleased to invest all the Civil and Additional Sessions Judges in Rajasthan, in virtue of their office, with the power to try cases under the said Act within their respective territorial jurisdiction.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to the
Government of Rajasthan,
Judicial Department.

Published in Raj. Raj-patra Vol. 4 No. 85 Dated 16-8-52 at page 452 :

Jaipur, August 7, 1952.

No. F. 1 (102) Jud./50.—In exercise of the power conferred by subsection (1) section 388 of the Indian Succession Act, 1925, (No. XXXIX of 1925), the Government of Rajasthan is pleased to invest all Civil and Additional Sessions Judges in Rajasthan, by virtue of their office, with the power to exercise the functions of a District Judge under part X of the said Act within the local limits of their jurisdiction.

NOTIFICATIONS UNDER RAJASTHAN CIVIL COURTS ORDINANCE, 1950 IN RESPECT OF SUNEL AND ABU AREAS.

Published in Raj. Raj-patra Dated November 1, 1956 part I (a) at page 51(b) :

Jaipur, November 1, 1956.

No. F. 1 (46) L.J/B/56. (III).—In exercise of the powers conferred by section 21 read with sections 17 and 18 of the Madhya

Bharat Civil Courts Act, Samvat 2006 (Madhya Bharat Act 43 of 1949, (Samvat 2006) as in force in the Sunel area, the State Government hereby orders that the Munsiff Bhawani Mandi for the time being shall also, with effect from the 1st November, 1956, be the Munsiff for the Sunel area.

Jaipur, November 1, 1956,

No. F. 1 (46) LJ (B)/56-(V).—In exercise of the powers conferred by sections 22 to 24 of the Bombay Civil Courts Act, 1839 (Central Act No. XIV of 1869) as in force in the Abu area, the State Government hereby orders that as from the first day of November, 1956, a Court of Civil Judge (Junior Division) at Abu Road shall be established with jurisdiction over the Abu area.

Published in Raj. Raj-patra Dated January, 31, 1957 part IV (c) at page 314 :

(Authorised by the Governor)

LAW AND JUDICIAL DEPARTMENT (B)

NOTIFICATION.

Jaipur, January 31, 1957.

No. 1703/F. 1 (46) LJ/B/56 (II).—In exercise of the powers conferred by Sub-section (1) of section 7 and Sub-section (1) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (No. VII of 1950) and in modification of the Judicial Department Notification No. F. 1 (46) LJ/B/56 (V) dated 1-11-1956 (Published in the Rajasthan Gazette, Extraordinary, Part I-A dated 1-11-1956) the State Government is pleased to order that on and from the 1st February, 1957 the Court of Civil Judge (Junior Division) at Abu Road shall be abolished and in its place a Court of Munsif shall be established with jurisdiction over the Abu area.

In exercise of the powers conferred by the proviso (b) to clause (ii) of Sub-section (1) of Section 19 of the said Ordinance, the State Government is further pleased to direct that the pecuniary jurisdiction of Munsif, Abu Road, shall extend to all suits and original proceedings valued upto rupees five thousand.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra, Dated November 1, 1956 part I (a) at page 52(b) :

Jaipur, November 1, 1956,

No. F. 1 (46) LJ (B)/56-(VI).—In exercise of the powers conferred by section 22 to 24 of the Bombay Civil Courts Act, 1869 (Central Act No. XIV of 1869) as in force in the Abu area, the State Government hereby orders that as from the first day of November, 1956, the Senior Civil Judge, Sirohi, for the time being appointed under the Rajasthan Civil Courts Ordinance, 1950 (Ordinance No. VII of 1950 of the pre-reorganization State of Rajasthan) shall also have the Jurisdiction of Civil Judge (Senior Division) over the Abu area.

By Order of
the Governor of Rajasthan,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated November 22, 1956 part 1 (a) at page 223 :

Jaipur, November 14, 1956.

No. F. 1 (59) LJ/B/56/1137 (II).—In pursuance of the powers conferred by sub-section (1) of section 7 of the Rajasthan Civil Courts Ordinance, 1950 (Ordinance 7 of 1950) of the pre-reorganisation state of Rajasthan, the State Government is pleased to order that with effect from the 1st December, 1956:—

(1) Kishangarh Sub-Division shall be excluded from the local limits of the jurisdiction of the judgeship of Jaipur District, and

(2) for the said Sub-Division, forming part of Ajmer District, the District Judge, Ajmer, shall be the District Judge.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated May 30, 1957 part IV (c) at page 92 :

(Authorised by the Governor)

Jaipur, April 23, 1957.

No. 1790/F. 1 (1) LJ/B/57.—In exercise of the powers conferred by Section 7 of the Rajasthan Civil Courts Ordinance, 1950 (No. 7 of 1950), the State Government is pleased to direct that as from 1-11-1956 the area known as Deoli Agency area shall be included in the jurisdiction of the Court of Sub-Judge, Kekri.

Published in Raj. Raj-patra Dated November 7, 1957 part IV (c) at page 617 :

LAW AND JUDICIAL DEPARTMENT (B)

NOTIFICATION

Jaipur, October 12, 1957.

No. 4217/F. I. (99) LJ/B/57-(I).—In exercise of the powers conferred by sub-section (i) of section 7, sub-section (i) of section 12 and section 19 of the Rajasthan Civil Courts Ordinance, 1950 (VII of 1950) the State Government is pleased to direct that—

- 1) a temporary Additional Court of Civil Judge to be designated as Court of Senior Civil Judge; Ajmer District with head-quarters at Ajmer shall be established with effect from the 15th October, 1957.
- 2) the said Court shall have territorial jurisdiction over Ajmer District excluding Kishangarh Sub-Division; and
- 3) the pecuniary jurisdiction of the said Court shall extend to all suits and original proceedings without restriction as regards value.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated December 30, 1957 part I V(c) at page 120(ch)

LAW AND JUDICIAL DEPARTMENT (B)

NOTIFICATION

Jaipur, December 30, 1957.

No. F. I (75) LJ/B/56.—In exercise of the powers conferred by subsection (1) of section 7 and sub-section (1) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (No. 7 of 1950) and section 5 of the Rajasthan Small Cause Courts Ordinance, 1950 (No. 8 of 1950), the State Government hereby directs that with effect from the 1st January, 1958, all the courts of Subordinate Judges in the Ajmer Area shall be abolished and in lieu thereof, the following permanent civil courts shall be established, namely:—

S. No.	Name of Court.	Place of Sitting.	Pecuniary Jurisdiction.	Territorial Jurisdiction.
1.	Civil Judge, Ajmer...	Ajmer.	Up to Rs. 10,000	Ajmer Sub-Division excluding Nasirabad Cantonment.
2.	Judge, Small Cause Court, Ajmer and Additional Civil Judge, Ajmer.	Ajmer.	Up to Rs. 500 as Judge, Small Cause Court, and up to Rs. 10,000 as Additional Civil Judge.	Ajmer Sub-Division including Nasirabad Cantonment.
3.	City Munsif, Ajmer	Ajmer.	Up to Rs. 2,000.	Ajmer Municipal limits.
4.	Distt. Munsif, Ajmer	Ajmer.	Up to Rs. 2,000.	Ajmer Sub-Division excluding Ajmer Municipal limits and Nasirabad Cantonment
5.	Civil Judge, Beawar	Beawar.	Up to Rs. 10,000.	Beawar Sub-Division including Todgarh.
6.	Munsif, Kekri	Kekri.	Up to Rs. 5,000.	Kekri Sub-Division including Deoli.

2. The State Government hereby further directs that as from the 1st January, 1958, no circuit civil court will sit at Nasirabad, Todgarh and Deoli.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated May 29, 1958 part IV (c) at page 316.

LAW AND JUDICIAL DEPARTMENT (B) NOTIFICATION

Jaipur, February-14, 1958

No. D. 344/F. 1 (75) LJB/56 (1).—In exercise of the powers conferred by sub-section (i) of section 7 and sub-section (i) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (No. VII of 1950) and section 5 of the Rajasthan Small Cause Courts Ordinance, 1950 (No. VIII of 1950) the State Government is pleased to direct that the following amendments shall be made in the Law and Judicial Department (B) Notification No. F. 1 (75) LJB/56, dated the 30th December, 1957 (regarding permanent courts in the Ajmer area) published in the Rajasthan Gazette Extraordinary, Part IV-C, dated 30-12-1957, namely:—

AMENDMENT

In the said Notification:—

- (i) against item No. 1 in Column (5), for the words "Ajmer Sub Division excluding Nasirabad Cantonment" the words "Ajmer and Kekri Sub Division" shall be substituted;
- (ii) against item No. 2 in Column (5), the words "including Nasirabad Cantonment" shall be deleted;
- (iii) against item No. 3 in Column (2), for the words "City Munsif, Ajmer" the words "Munsif, Ajmer City" shall be substituted;
- (iv) against item No. (4)—
 - (a) in Column (2), for the words "District Munsif, Ajmer" the words "Munsif, Ajmer District" shall be substituted, and
 - (b) in Column (5), the words "and Nasirabad Cantonment" shall be deleted.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated June 26, 1958 part IV (c) at page 547.

LAW AND JUDICIAL DEPARTMENT (B) NOTIFICATION

Jaipur, June 9, 1958.

No. D. 2142/F. 1 (75) LJ/B/56 (Part I).—In exercise of the powers conferred by sub-section (1) of section 7 and sub-section (1) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (No. 7 of 1950) and section 5 of the Rajasthan Small Cause Courts Ordinance, 1950 (No. 8 of 1950), the State Government hereby directs that as from the 30th June, 1958, the following further amendment shall be made in Law and Judicial Department (B) Notification No. F. 1 (75) LJ/B/56 dated the 30th December, 1957 as amended by Law and Judicial Department "B" Notification No. 344/F. 1 (75)

LJ/B/56 (i) dated the 14th. February, 1958 (regarding permanent Civil Courts in the Ajmer area) namely:—

AMENDMENT.

Against item No. 2 (Judge, Small Cause Court, Ajmer and Additional Civil Judge, Ajmer) under head, "Territorial Jurisdiction" for the words "Ajmer Sub-Division" "the words Ajmer Sub-Division excluding Nasirabad Cantonment and all villages under Ploice Station Nasirabad" shall be substituted.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated December 30, 1957 part IV(c) at page 121(ch)

LAW AND JUDICIAL DEPARTMENT (B)

NOTIFICATION.

Jaipur, December 30, 1957.

No. F. I (75) LJ/B/56.—In exercise of the powers conferred by sub section (1) of section 7 and sub section (1) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (No. 7 of 1950) the State Government hereby directs that with effect from the 1st January, 1958, the following temporary courts of Munsifs shall be established in the Ajmer Area, namely :—

S. No.	Name of Court.	Place of Sitting.	Pecuniary Jurisdiction	Territorial Jurisdiction.
1.	Additional City Munsif, Ajmer.	Ajmer.	Up to Rs. 2,000.	Ajmer Municipal limits.
2.	Munsif, Beawar	Beawar.	Up to Rs. 2,000.	Beawar Sub-Division.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated May 29, 1958 part IV (c) at page 317 :

LAW AND JUDICIAL DEPARTMENT (B)

NOTIFICATION

Jaipur, February 14, 1958.

No. D 344 F. I (75) LJ/B/56 (II).—In exercise of the powers conferred by sub-section (1) of section 7 and sub-section (i) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (No. VII of 1950) the State Government is pleased to direct that the following amendment shall be made in the Law and Judicial Department (B) Notification No. F. 1. (75) LJ/B/56, dated 30-12-1957 (regarding temporary Courts in the Ajmer area) published in the Rajasthan Gazette, Extra ordinary Part IV-C, dated 30-12-1957 namely:—

AMENDMENT

Against item No. (i) in Column (2), for the words "Additional City Munsif, Ajmer" the words "Additional Munsif, Ajmer City" shall be substituted.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary of the Government.

Published in Raj. Raj-patra Dated May 29, 1958 part IV (c) at page 319 :

LAW AND JUDICIAL DEPARTMENT (B)
NOTIFICATION

Jaipur, April 25, 1958.

No. D. 1481/F. 1 (75) LJ/B/56 (1).—In exercise of the powers conferred by sub-section (1) of section 7 and sub-section (1) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (No. V of 1950) the State Government hereby directs that with effect from the 30th June, 1958 a temporary Court of Munsif shall be established at Nasirabad with jurisdiction over Nasirabad Cantonment and all villages under Police Station, Nasirabad.

The State Government is further pleased to direct that as from the 30th June, 1958, the following amendment shall be made in Law and Judicial Department (B) Notification No. F. 1. (75) LJ/B/56, dated the 30th December, 1957, as amended by Law and Judicial Department (B) Notification No. D. 344/F. 1 (75) LJ/B/56 (1), dated the 14th February, 1958 (regarding permanent courts in Ajmer area) namely:—

AMENDMENT

Against Item No. 4 (Munsif Ajmer District) under head Territorial Jurisdiction for the words "Ajmer Sub Division excluding Ajmer Municipal Limits" the words "Ajmer Sub-Division excluding Ajmer Municipal Limits and Nasirabad Cantonment and all villages under Police Station Nasirabad" shall be substituted.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj Raj-patra Dated January 30, 1958 part IV (c) at page 948 :

LAW AND JUDICIAL (B) DEPARTMENT

NOTIFICATION

Jaipur, January 9, 1958.

No. F. 1 (75) LJ (B) 56.—In exercise of the powers conferred by sub section (i) of section 7 and sub section (i) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (VII of 1950) and in modification of Law and Judicial Department Notification No. F. 1. (45). Jud/50 dated 2nd June, 1950 (published in the Rajasthan Gazette, Extraordinary part I of 14th June, 1950) and Notification No. F. 1 (75) LJ (B)/56 dated 30th December, 1957 (published in the Rajasthan Gazette, Extraordinary, part IV-C of 30th December, 1957) the State Government hereby directs that with effect from the first day of February, 1958, Tehsil Sarwar shall be transferred from the jurisdiction of the Court of Senior Civil Judge, Kishangarh to that of the Court of Munsiff, Kekri; so that the revised jurisdiction of the two Courts will be as follows:—

S.No. Name of the Court Present Jurisdiction Revised Jurisdiction

- | | | |
|--|------------------------------------|--|
| 1. Court of Senior Civil Judge, Kishangarh | Kishangarh Sub-Division | Kishangarh Sub-Division excluding Tehsil Sarwar. |
| 2. Court of Munsiff, Kekri | Kekri Sub-Division including Deoli | Kekri Sub-Division including Deoli and Sarwar Tehsils. |

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated June 12, 1958 part IV at page 431 :

(Authorised by the Governor)

LAW AND JUDICIAL DEPARTMENT (B)
NOTIFICATION

Jaipur, May 23, 1958.

No. F. 1 (75) LJ/B/56. Part II (I).—In exercise of the powers conferred by sub-section (1) of section 7 and sub-section (1) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (No. 7 of 1950) the State Government hereby directs that with effect from the 30th June, 1958, the following amendment shall be made in the Law and Judicial "B" Department Notification No. F.1 (75) LJB/58 dated the 9th January, 1958, namely:—

AMENDMENT.

In the said Notification against the Court of Munsif, Kekri, under head 'Revised Jurisdiction' for the words "Kekri Sub Division including Deoli and Sarwar Tehsils" substitute the words "Kekri Sub Division and Sarwar Tehsil of Kishangarh Sub-Division."

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

NOTIFICATION UNDER CIVIL PROCEDURE CODE.

NOTIFICATIONS UNDER SECTION 61 OF CIVIL PROCEDURE CODE.

Published in Raj. Raj-patra Dated May 29, 1958 part IV (c) at page 317 :

Authorised by the Governor

LAW AND JUDICIAL DEPARTMENT (B)
NOTIFICATION

Jaipur, February 21, 1958.

No. D. 629/F. 4 (5) LJ/B/58.—Whereas it appears to the State Government that it is necessary to exempt from liability to attachment or sale in the execution of a decree one-third of the agricultural produce in the case of agriculturists as defined in clause (3) of section 5 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955) for the purpose of providing until the next harvest for the due cultivation of the land and for the support of the judgment-debtor and his family ;

Now, therefore, in exercise of the powers conferred by section 61 of the Code of Civil Procedure, 1908 (Central Act V of 1908) the State Government does hereby declare that one-third of the agricultural produce in the case of agriculturists as aforesaid shall be exempted from liability to attachment or sale in the execution of a decree.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

NOTIFICATIONS UNDER ORDER V OF CIVIL PROCEDURE CODE.

Published in Raj. Raj-patra Dated December 12, 1957 part I (B) at page 886 :

LAW AND JUDICIAL DEPARTMENT (B)

NOTIFICATION

Jaipur, November, 28, 1957.

No. 3658/F. 4 (2) LJ/B/57.—In pursuance of clause (b) of rule 26 of order 5 of the Code of Civil Procedure, 1908 (Act No. V of 1908), the State Government does hereby declare that the service by the High Court or any other Civil or Revenue Court in Sikkim of any summons issued under the said Code by a Court in Rajasthan shall be deemed to be valid service.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

NOTIFICATIONS UNDER SECTION 57 OF CIVIL PROCEDURE CODE.

Published in Raj. Raj-patra Dated July 4, 1953 part I at page 335 :

HOME DEPARTMENT, II.

NOTIFICATION

Jaipur, July 1, 1953.

No. F. 16 (60) P.B (Jails)/52.—In exercise of the power conferred by section 57 of the Code of Civil Procedure, 1908, (Act V of 1908), the Government of Rajasthan is pleased to fix the following scales of diet allowance for the subsistence of judgment debtors of different grades detained in the Civil prison :—

Grade I.—Persons who by social status, education and habit of life are accustomed to a superior mode of living
Re. 1/8/- per day.

Grade II.—Other persons of responsibility generally such as tradesmen of the better sort..... Re. 1/- per day.

Grade III.—Persons not included in Grade I or Grade II.....
.....Re. /10/- per day.

In case of sickness or for any other special reason, the diet allowance at rate not exceeding double above the rates may be fixed. If specially so ordered by the committing Court, civil prisoners of both grades II and III shall receive the diet allowance fixed for those of Grade I.

The classification of judgment-debtors for the purpose of fixing their subsistence shall be made by the court. It is however, open to the Jail Superintendent to make a representation to the Civil Court concerned if the allowance appears insufficient in cases of sickness, or for other special reason.

B. G. RAO,
Chief Secretary to the Government.

Published in Raj. Raj-patra Dated March 27, 1954 part I at page 1304 :

HOME DEPARTMENT II.

NOTIFICATION.

Jaipur, March 8, 1954.

No. F. 16 (60) P. B. (Jails)/52.—In exercise of the power conferred by section 57 of the Code of Civil Procedure, 1908 (Act V of 1908), the Government of Rajasthan is pleased to fix the following scales of clothing for Civil Prisoners of different grades detained in the Civil Prisoners.

First Grade:—All commissioned and Gazetted officers of Government and all other persons whose ordinary mode of living conforms to a similar standard,

Second Grade:—All officers of Government other than commissioned and Gazetted officers whose salary or income is not less than Rs. 50/- p. m. and all other persons whose mode of living conforms to a similar standard.

Third Grade:—All other persons not included in grade 1 or 2 above.

The scales of allowance for clothing and bedding shall be as under:—

First grade	Rs. 80/-
Second grade	Rs. 60/-
Third grade	Rs. 40/-

The Superintendent Jail shall decide what articles of clothing shall be supplied taking into consideration the clothing already in possession of the Judgment debtor and his actual requirements. Necessary eating utensils will also be supplied out of the above provision.

An extra charge of Rs. 20/-, 20/- and 15/- for the provision of warm clothing shall be levied for each civil prisoner of the first, second or third grade respectively admitted to a Jail in the summer whose detention is prolonged into the winter.

At the discretion of the Medical officer old and infirm prisoners of the third grade may be supplied with an additional blanket, both in winter and summer and for this purpose decree holders or courts shall be required to deposit Rs. 12/- extra for each prisoner. The issue of this extra blanket will be made only in case of real necessity.

An extra charge of Rs. 1/- p. m. shall be levied for each civil prisoner of every grade for periodical washing of clothings, shavings and other petty expenses.

Every civil prisoner when admitted in Jail is to be given all necessary clothing, bedding and eating utensils at the cost of decree holders out of the above provision. As the period of this detention does not exceed more than 6 months, the question of replacement will not arise.

H. D. UJWAL,
Secretary to the Government.

Notifications under Order XXVII of Civil Procedure Code.

Published in Raj. Raj-patra Dated May 8, 1954 part I (B) at page 75 :

JUDICIAL DEPARTMENT

NOTIFICATION

Jaipur, April 26, 1954

No. F. 2 (7) L.R./54—In pursuance of clause (VII) of section 2 of the Code of Civil Procedure, 1908 read with Rule 8 B of Order XXVII of the First Schedule to the said Code, and in supersession of all previous orders and notifications in this behalf, the State Government is pleased to appoint the Advocate General for Rajasthan and the other law officers of the State Government, namely the Government Advocate and the Deputy Government Advocates to be Government Pleaders and to authorise them to perform and discharge all duties and functions appertaining to a Government Pleader under the said Code in the Rajasthan High Court at Jodhpur and the High Court Bench at Jaipur in relation to all judicial proceedings in which the State Government is a party, and also in all judicial proceedings in which any public officer in the service of the State Government is a party and the defence of which has been undertaken by the State Government.

By Order of
His Highness the Rajpramukh.
P. D. LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated January 14, 1956 part IV (c) at page 939 :

LAW DEPARTMENT.

NOTIFICATIONS.

Jaipur, January 2, 1956

No. F. 2 (7) L.R./54.—In pursuance of clause (VII) of section 2 of the Code of Civil Procedure 1908 read with rule 8B of Order XXVII of the First Schedule to the said Code, the State Government is pleased to direct that the following amendment shall be made in Judicial Department Notification No. F. 2 (7) L.R./54, dated the 26th April, 1954 (published in the Rajasthan Gazette, Part I B, dated the 8th May, 1954), namely:—

Amendment.

In the said notification after the words "Deputy Government Advocates" the words "and the Assistant Government Advocate" shall be inserted.

By Order of
His Highness the Rajpramukh
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated February 25, 1956 part I (A) at page 319 :

(Authorised by His Highness the Rajpramukh)

NOTIFICATION

Jaipur, February 9, 1956,

No. F. 3 (48) LR/55.—In pursuance of rules 2 and 8 and Clause (C) of rule 8B of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (V of 1908) read with Section 2 (7) of the said Code and in supersession of all previous notifications in this behalf, the State Government is pleased to appoint, for the purposes of the said Order, all part-time Public Prosecutors, Additional Public Prosecutors and Assistant Public Prosecutors as Government Pleaders, ex-officio for all civil courts in the districts for which they have been appointed; and to authorise them to appear, plead and act for the State Government and for public officers of the State Government in relation to all suits and proceedings to which the State Government is a party, or to which any public officer of the State Government is a party in his official capacity and defence of which is under-taken by the State Government.

The State Government is further pleased to appoint the Collector of a district to be the officer for performing the functions of Government Pleader under rule 4 of Order XXVII and rule 6 of Order XXXIII of the First Schedule to the Code of Civil Procedure, 1908 (V of 1908) in respect of the civil courts within his district which are not at the headquarters of a Government Pleader as aforesaid.

(Authorised by His Highness the Rajpramukh)

Jaipur, February 9, 1956.

No. F. 20 (596) LR/55.—In exercise of the powers conferred by Rule I of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (No. V of 1908), the State Government is pleased to authorise all Collectors of Districts to sign and verify plaints and written statements in all suits by or against the State Government in any civil or revenue court situated within the limits of their respective jurisdictions.

His Highness the Rajpramukh is further pleased to authorise also the Officer-in-Charge appointed for a case to sign and verify the plaint or the written statement in any suit by or against the State Government for which he is so appointed.

(Authorised by His Highness the Rajpramukh)

Jaipur, February 9, 1956.

No. F. 20 (597) LR/55.—In pursuance of Rule 2 of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908

(No. V of 1908), the State Government is pleased to authorise all Collectors of Districts to act for the State Government in respect of all judicial proceedings, to which the State Government is a party, in the civil courts located within their respective jurisdiction.

His Highness the Rajpramukh is further pleased to authorise also the Officer-in-Charge appointed for a case to act for the State Government in any judicial proceeding in a civil court for which he is so appointed.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

NOTIFICATIONS UNDER SEC. 44 A. CIVIL PROCEDURE CODE.

Published in Raj. Raj-patra Vol. 2 No. 27 Dated 17-6-50 at page 195 :

JUDICIAL DEPARTMENT.

NOTIFICATION.

Jaipur, June 2, 1950.

No. F. 5 (7) Jud./49—In exercise of the power conferred by explanation 2 to section 44-A of the Code of Civil Procedure, 1908 (Act V of 1908), of the Central Legislature as adapted to Rajasthan by the Rajasthan Code of Civil Procedure (Adaptation) Ordinance, 1950 (No V of 1950), the Government of Rajasthan is pleased to declare the Colony of Fizi to be a reciprocating territory, and the Supreme Court of the said Colony to be a Superior Court of that territory, for the purposes of the said section.

By Order of H. H. the Raj Pramukh.
PRABHU DAYAL LOIWAL,
*Secretary to the
Government of Rajasthan,
Judicial Department.*

Published in Rāj. Rāj-patrá Vol. I No. 160 Dated 25-1-50 at page 46 :

GOVERNMENT OF THE UNITED STATE OF RAJASTHAN
LAW DEPARTMENT
NOTIFICATION.

Jaipur, January 24, 1950.

No. F. 12 (65) L/49.—In exercise of the power conferred by sub-section (3) of section 1 of the Rajasthan Civil Courts Ordinance 1950, the Government of the United State of Rajasthan is pleased to appoint the 25th day of January, 1950 to be the date on which the said Ordinance shall come into force.

PRABHU DAYAL LOIWAL,
Secretary to the Government of the United
State of Rajasthan, Law Department.

Published in Rāj. Rāj-patra 3—II at page 1182 :

RAJASTHAN HIGH COURT, JODHPUR.
NOTIFICATION.

Jodhpur, January 21, 1952.

No. 405/Int.—The Civil Judge, Jhunjhunu shall cease to exercise the powers under section 21 (4) of the Rajasthan Civil Courts Ordinance of entertaining appeals from decrees or orders of Munsiffs.

By Order.
M. L. RAZDAN,
Registrar.

Published in Rāj. Rāj-patra 4—II at page 854 :

RAJASTHAN HIGH COURT, JODHPUR.
NOTIFICATION.

Jodhpur, August 22, 1952.

No. 29/Gen.—In exercise of the powers conferred by section 265 of the Indian, Succession Act, 1925 (No XXXIX of 1925) all Civil and Additional Sessions Judges in Rajasthan, are hereby appointed as District Delegates within the local limits of their Jurisdiction.

By Order,
M. L. RAZDAN,
Registrar.

Published in Rāj. Rāj-patra Dated October 24, 1953 part II at page 1077 :

RAJASTHAN HIGH COURT, JODHPUR.
NOTIFICATION.

Jodhpur, October 6, 1953.

No. 4/Gen.—In exercise of the powers conferred by section 24 of the Rajasthan Civil Courts Ordinance, 1950, as amended by Notification No. F. 1 (1) Jud/52, dated 3-3-1952, the High Court is pleased to invest with effect from 1st October, 1953, the Civil Judge Jalore in virtue of his office with the Jurisdiction of a Judge of a Court of Small Causes under the Rajasthan Small Cause Courts

Ordinance, 1950, for the trial of suits cognizable by such court upto rupees two hundred and fifty in value, to be exercised within the limits of his territorial jurisdiction.

By Order,
M. L. RAZDAN
Registrar.

Published in Raj. Raj-patra Dated March 5, 1955 part I (b) at page 756 :

RAJASTHAN HIGH COURT, JODHPUR.

NOTIFICATION

Jodhpur, February 16, 1955.

No. 2/C. —The Civil and Additional Sessions Judge, Dholpur in virtue of his office was invested with effect from 2nd November, 1951, with the jurisdiction of a judge of a court of small causes under Rajasthan Small Causes Courts Ordinance, 1950, for the trial of suits cognizable by such courts upto rupees two hundred fifty in value to be exercised within the Gird and Rajakhera Tehsils *vide* Government notification No. F. 1 (45) Jud./51, dated the 4th October, 1951.

Now, in exercise of the powers delegated by the notification No. F. 1 (1) Jud./52, dated 3-3-1952 issued under section 24 of the Rajasthan Civil Courts Ordinance, 1950, as amended by Act III of 1952, the High Court is pleased to order that with effect from 1st March, 1955, the jurisdiction of a judge of a court of small cause conferred on the Civil and Additional Sessions Judge, Dholpur shall extend over the local limits of the Dholpur Munsifi.

By Order of the Court,
M. L. RAZDAN,
Registrar.

Published in Raj. Raj-patra Dated July 21, 1956 part I (b) at page 338 :

NOTIFICATIONS.

Jodhpur, June 15, 1956.

No. 7.—In exercise of the powers conferred by Sub-section 4 of Section 21 of the Rajasthan Civil Courts Ordinance, 1950, and with the previous sanction of the Government of Rajasthan, the High Court of Judicature for Rajasthan is pleased to direct that with effect from the 15th day of June, 1956 appeals from the decrees and orders of the Munsiffs at Jalore, Bhinmal and Santhore shall lie to the Court of Senior Civil and Additional Sessions Judge, Jalore.

M. J. MARDIA,
Registrar.

Published in Raj. Raj-patra Vol. 3 No. 104 Dated 27-10-51 part I at page 660 :
Jaipur, October 11, 1951.

No. F. 1 (41) Jud./50.—In exercise of the powers conferred by section 10 of the Rajasthan Civil Courts Ordinance, 1950, the Government of Rajasthan, is pleased to sanction the appointment of one Additional Judge with immediate effect for the speedy disposal of business pending before the District Judge, Bharatpur.

Notifications under

RAJASTHAN CIVIL COURTS ORDINANCE, 1950.

Published in Raj. Raj-patra part IV (c) dated January 8, 1959 at page 1292

English Translation

(Authorised by the Governor)
Law and Judicial Department (B)

NOTIFICATION

Jaipur, December 27, 1958.

No. F. 1 (141) LJ/B/58 (I).—In exercise of the powers conferred by sub-section (1) of section 7 and sub-section (1) of section 12 and the proviso to sub-section (1) of section 19 of the Rajasthan Civil Courts Ordinance, 1950 (No. VII of 1950) and in further modification of the Judicial Department Notification F. 1 (44)Jud/50, F. 1 (45) Jud/50 and F. 1 (50) Jud/50, dated the 2nd June, 1950 (published in the Rajasthan Gazette Extraordinary, part I of 14-6-1950) the Government of Rajasthan is pleased to make the following Order which shall take effect on and from the 12th January, 1959 namely:—

- (i) the existing permanent Court of Civil Judge, Merta shall be kept in abeyance for one year,
- (ii) a temporary Court of Additional Senior Civil Judge, shall be established at Jodhpur with territorial jurisdiction over Jodhpur and Jaisalmer districts, and with unlimited pecuniary powers,
- (iii) the Court of Munsif, Merta shall be abolished and instead a Court of Civil Judge at Merta with territorial jurisdiction over Merta and Parbatsar sub-divisions and with pecuniary powers up to rupees ten thousand shall be established.

By Order of the Governor,
P. D. LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated February 26, 1959 at page 1460

English translation

(Authorised by the Governor)
Law and Judicial Department

NOTIFICATION

Jaipur, January 31, 1959.

No. 1 (123) LJB/58.—In exercise of the powers conferred by sub-section (1) of section 7 of the Rajasthan Civil Courts Ordinance,

1950 (No. VII of 1950) and in continuation of the Judicial Department Notification No. F. 1 (25) Jud/55, dated 26-4-1956 (published in the Rajasthan Gazette Part I-A of 19-5-1956), the Government of Rajasthan is pleased to direct that consequent on the changes made in the formation of certain tehsils *vide* Revenue Department Notification No. F. 25 (15) Rev. 1/54, dated 28-9-54 published in the Rajasthan Gazette Part I-B of 20-11-1954), the territorial jurisdiction of the Court of Munsif Bilara be redefined as indicated in the following table, with effect from the 1st March, 1959.

S. No.	Name of the Court.	Present Jurisdiction.	Revised Jurisdiction.
1.	Court of Munsif Bilara	Bilara Tehsil	Bilara Tehsil as reconstituted by inclusion of 43 villages as indicated in the said Revenue Department Notification.

By Order of the Governor,
DEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated May 21, 1959 at page 173

[Authorised English Translation]
Law & Judicial Department (B)

NOTIFICATION

Jaipur, May 5, 1959.

No. F. 1 (8) L.J / B/58.—In exercise of the powers conferred by sub-section (1) of section 7 of the Rajasthan Civil Courts Ordinance, 1950 (No. VII of 1950) and in further modification of the Judicial Department Notification No. F. 1 (103) jud./52. (VI), dated 18-2-1953 (published in the Rajasthan Gazette Part I dated 21-2-53, the State Government hereby directs that consequent on the changes made in the formation of certain Tehsils, *vide* Revenue Department Notification No. F. 3 (18) Rev/C/58, dated 5-9-1958 (published in the Rajasthan Gazette Part I-B of 18-9-1958) the territorial jurisdiction of the following courts be re-defined as indicated in the table given below, with effect from 1-6-1959:—

S. No.	Name of Court	Present Jurisdiction	Revised Jurisdiction
1	2	3	4
1.	Court of Civil Judge, Jhunjhunu.	Jhunjhunu District	Jhunjhunu District as reconstituted by the transfer of village Kot of Sikar District to Tehsil Udaipur of Jhunjhunu District.
2.	Court of Civil Judge, Sikar	Sikar District	Sikar District as reconstituted by the transfer of village Kot of Tehsil Shri Madhopur of Sikar District to Tehsil Udaipur of Jhunjhunu District.
3.	Court of Munsif, Sikar	Sikar and Fatehpur Sub-divisions	Sikar and Fatehpur sub-divisions excluding village Kot transferred from Tehsil Shri Madhopur in Sikar District to Tehsil Udaipur in Jhunjhunu District.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Rajasthan Raj-patra part IV (c) dated June 25, 1959 at page 253

English Translation
(Authorised by the Governor)
Law and Judicial Department (B)

NOTIFICATION

Jaipur, May 28, 1959.

No. D. 137/F. 1 (121) LJ/B/58-II.—In exercise of the powers conferred by sub-section (1) of section (7) and sub-section (i) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (No. VII of 1950) and in further modification of Judicial Department Notification No F.1. (50) Jud./50, dated 2-6-1950 (published in the Rajasthan Gazette, Extraordinary, Part I of 14-6-1950) and in continuation of Law and Judicial Department (B) Notification No. 1703/F. 1 (46) LJ/B/56 (II) dated 31-1-1957 (published in the Rajasthan Gazette, Extraordinary, Part IV.C, dated 31-1-1957) the State Government hereby directs that with effect from the 1st July, 1959 the territorial jurisdiction of the following courts be redefined as indicated in the subjoined table:—

Table.

S. No.	Name of the Court.	Present Jurisdiction	Revised Jurisdiction.
1.	Court of Munsif, Abu Road	Abu Area	Abu sub-division (Abu Road, Pindwara and Reodar Tehsils).
2.	Court of Munsif, Sirohi	Sirohi District excluding Abu Tehsil.	Sirohi sub-division (Sheoganj and Sirohi Tehsils).

In exercise of the powers conferred by proviso (b) to clause (ii) of sub-section (1) of section 19 of the said Ordinance, the State Government hereby further directs that the court of Munsif, Abu Road with its revised territorial jurisdiction shall exercise pecuniary powers in respect of all suits and original proceedings valued up to rupees five thousand.

By Order of the Governor,
PRABHUDAYAL LOIWAL,
Secretary to the Government.

Published in Rajasthan Raj-patra part IV (c) dated Sep. 3, 1959 at page 977-978

Law and Judicial (B) Department

NOTIFICATION

Jodhpur, October 20, 1959.

No. D. 2463/H. 1 (26) LJ./B/59.—In exercise of the powers conferred by section 7 read with section 16 of the Rajasthan Civil Courts Ordinance, 1950 (No. 7 of 1950), the State Government hereby extends the jurisdiction of the Court of Senior Civil Judge, Kishangarh to the whole of Ajmer District, and directs as follows:—

(1) The Senior Civil Judge, Kishangarh shall dispose of such civil appeals cognizable by the Civil Judge of the area to which the jurisdiction of his court has been extended by this notification as may be made over to him by the District Judge, Ajmer; and

(2) the Senior Civil Judge, Kishangarh shall hold his court at Ajmer for two weeks in a month for the disposal of such civil appeals.

By Order of the Governor,
PRABU DAYAL LOIWAL,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated February 25, 1960 at page 1214
English Translation

(Authorised by the Governor)
Law & Judicial (B) Department
NOTIFICATION

Jaipur, January 5, 1960.

No. D. 41/50/F. 1 (94) LJ/B/59 (i).—In exercise of the powers conferred by sub-section (1) of section 7 and sub-section (1) of section 12 of the Rajasthan Civil Courts Ordinance 1950 (No. VII of 1950) and in further modification of the Judicial Department Notification Nos F. 1 (44) Jud/50 and F. 1 (45) Jud./50 dated the 2nd June, 1950 (published in the Rajasthan Gazette, Extraordinary, Part I of 14-6-1950), the Government of Rajasthan is pleased to make the following order which shall take effect on and from 15th January 1960, namely:—

The Court of Civil Judge at Jaisalmer is hereby down graded into that of a Munsif Court.

By Order of the Governor,
DEEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated September 22, 1960 at page 178.
English Translation

(Authorised by the Governor)
Law & Judicial (B) Department
NOTIFICATION

Jaipur, August 3, 1960.

No. D. 1554/F. 1 (71) FJ/B/60 —In exercise of powers conferred by sub-section (2) of section 1 of the Rajasthan Civil Courts Ordinance, 1950 (Ordinance No. VII of 1950), the State Government hereby delegates, to the Chief Justice of the Rajasthan High Court with the powers exercisable by it under proviso (b) to sub-section (1) of section 19 of the Rajasthan Civil Courts Ordinance, 1950 (Ordinance No. VII of 1950).

By Order,
DEEWANCHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated November 24, 1960 at page 218
English Translation

(Authorised by the Governor)
Law & Judicial (B) Department
AMENDMENT

Jaipur, September 20, 1960.

No. F. 1 (71) LJ/B/60.—For the words "Chief Justice of the Rajasthan High Court" occurring in this Department Notification No. D. 1554/F. 1 (71) LJ/B/60, dated the 3rd August, 1960, the words "Rajasthan High Court" shall be substituted. By Order,

DEEWAN CHAND SHARMA,
Secretary to the Government.

Notifications under

RAJASTHAN CIVIL COURTS ORDINANCE, 1950.

Law & Judicial (B) Department

NOTIFICATION

Jaipur; May 31, 1963

No. F. 1 (B) (2) Judl./63.—In exercise of the powers conferred by sub-section (1) of section 7 of the Rajasthan Civil Courts Ordinance, 1950 (Ordinance No. VII of 1950) read with sub-section (1) of section 12 and section 16 thereof, the State Government hereby directs that the following amendment may be made in this Department Notification No. D. 886/F. 3 (2) LJ/B/58, dated the 26th February, 1958 namely :—

AMENDMENT

In column No. 4 against item No. 26 of the Schedule "Sessions Judge Udaipur" the words "and Dungarpur" be inserted between the word "Udaipur" and the word "District".

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

[Published in Raj. Raj-Patra Part IV (Ga) dated June 13, 1963 page 319]

Judicial Department

NOTIFICATION

Jaipur, August 30, 1963.

No. F. 1. (B)(6) Jud./63.—In exercise of the powers conferred by sub-section (1) of section 7 of the Rajasthan Civil Courts Ordinance, 1950 (Rajasthan Ordinance, 7 of 1950), and in partial modification of this Department Notifications No. F. 1 (12) Int. B/50, dated the 25th May, 1950, F. 1(29) Jud./53, dated the 17th July, 1953 and F.1 (19)LJ/B/58, dated the 23rd August, 1962, the State Government hereby alters the territorial jurisdiction of the Civil Courts specified in column No. 2 of the Table given below and redefines the same as indicated in column No 4 thereof, These Courts shall exercise powers in respect of their revised territorial jurisdiction to the extent indicated against each in column No. 5 of the said Table

S. No.	Name of court.	Present jurisdiction.	Revised jurisdiction.	Powers.
1.	Court of Civil Judge Suratgarh.	Nohar & Sadulgarh Sub-divisions, and Raisinghnagar & Anupgarh Tehsils.	Suratgarh, Raisinghnagar and Anupgarh Tehsils,	Will hear Civil cases from above Rs. 2,000/- upto Rs. 10,000/-.
2.	Court of Civil Judge, Hanumanagar.	Sadulgarh Tehsils.	1. Sadulgarh Tehsils. 2. Nohar Sub-division.	1. Will hear Civil cases upto Rs. 10,000/-. 2. Will hear Civil cases from above Rs. 2,000/- upto Rs. 10,000/-.

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

Rules and Notifications under

CODE OF CIVIL PROCEDURE 1908. (CENTRAL ACT
No. 5 of 1908).

Notifications under

THE CODE OF CIVIL PROCEDURE, 1908.

Published in Raj. Raj-patra part IV (c) dated July 2, 1959 at page 260.

Law and Judicial (B) Department

NOTIFICATION

Jaipur, June 3, 1959.

No. D. 1421/ F. 4 (9) LJ/B/59.—In exercise of the powers conferred by section 44 of the Code of Civil Procedure 1908 (V of 1908), the State Government hereby declares that decrees of any Revenue Court in the Jammu and Kashmir State may be executed in the State of Rajasthan as if they had been passed by Courts in this State.

By Order of the Governor,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

Published in Rajasthan Raj-patra part IV (c) dated 11-8-1960 at page 275

English Translation

(Authorised by the Governor.)

Law and Judicial (B) Department

NOTIFICATION

Jaipur, July 11, 1960.

No. D. 840/ F. 21-E (9) LJ/B/58.—In exercise of the powers conferred by sub-sections (1) and (2) of section 137 of the Code of Civil Procedure 1908 (5 of 1908), the State Government hereby declares that—

(a) Hindi shall be the language of all Courts subordinate to the High Court; and

(b) the character in which the applications to and proceedings in all such courts are written shall be Devnagri.

By order of the Governor,
D. C. SHARMA,
Secretary to the Government.

Notifications under

CODE OF CIVIL PROCEDURE, 1908.

Published in Raj. Raj-patra part IV (c) at page 48 :

Judicial Department.

NOTIFICATION

Dated Jaipur, the 5th Sep. 1961.

No. F. 21-E (9) LJ/B/58.—In partial modification of this Department Notification of even number, dated the 11th July, 1960 and in exercise of the powers, conferred by sub-sections (1) and (2) of section 137 of the code of the Civil Procedure 1908 (5 of 1908) the State Government hereby declares that:—

(a) Hindi shall be language of all courts subordinate to the High Court, and

(b) the character in which the applications to and proceedings in all such courts are written shall be Devnagri:—

Provided that District Judges and Civil Judges may write judgments in English.

Published in Raj. Raj-patra I (a) dated June 15, 1961 at page 87 :

English Translation

(Authorised by the Governor)

Law & Judicial (B) Department

NOTIFICATION

Jaipur. January 17, 1961.

No. F. 1 (128) LJ B/60-I.—In exercise of the powers conferred by sub-section (1) of section 7 and sub-section (i) of section 12 of the Rajasthan Civil Courts Ordinance, 1950 (No. VII of 1950) and in further modification of Judicial Department Notification No. F. 1 (50) Jud./50, dated the 2nd June, 1950 (published in the Rajasthan Gazette, Extraordinary Part I of 14-6-1950) and in continuation of Law and Judicial Department Notification No. F. 1 (121) LJ/B/58-II; dated the 28th May, 1959, the State Government hereby directs that with effect from the 1st February, 1961, the territorial jurisdiction of the following courts be re-defined as indicated in the sub joined table:—

TABLE

S. No.	Name of the Court.	Present Jurisdiction.	Revised Jurisdiction.
1.	Court of Munsif, Abu Road	Abu-Sub-Division (Abu Road, Pindwara and Reodar Tehsils)	Abu Sub-Division (Abu Road and Pindwara Tehsils)
2.	Court of Munsif, Sirohi.	Sirohi Sub-Division (Sheoganj and Sirohi Tehsils).	Sirohi sub-Division (Sheoganj & Sirohi Tehsils including Reodar Tehsil).

In exercise of the powers conferred by proviso (b) to clause (ii) of sub-section (1) of section 19 of the said Ordinance, the State Government hereby further directs that the court of Munsif, Abu Road with its revised territorial jurisdiction shall exercise pecuniary powers in respect of all suits and original proceedings valued up to rupees five thousand.

By Order of the Governor,
DEEWAN CHAND SHARMA,
Secretary to the Government.

Published in Raj. Raj-patra part IV (c) dated November 6, 1961 at pages 388 :

Rajasthan High Court, Jodhpur

NOTIFICATION

Jodhpur, September 19, 1961.

No. 1/61.—In exercise of the powers conferred by section (24) of the Rajasthan Civil Courts Ordinance 1950, as delegated by Government Notification No. F. 1 (1) JyD/52 dated 3-3-52, it is hereby ordered that the Civil and Additional Sessions Judge, Sirohi will have powers for trial of suits cognizable by a Court of Small Causes up to Rs. 250/- in value within the limits of the territorial jurisdiction of the Munsif Sirohi, viz., Sirohi Sub-Division, as redefined by Government Notification No. F. 1 (128) LJ/B/60-I, dated 17-1-61. This supersedes this Court Notification No. 3/59, dated 12-3-59 and 4/59, dated 25-9-59.

By Order,
ROOP SINGH,
Registrar.

Published in Raj. Raj-patra part I (a) dated August 25, 1962 at page 19-20 :

Judicial Department

NOTIFICATION

Jaipur, August 23, 1962.

No. F. 1 (19) LJ/B/58.—In exercise of the powers conferred by sub-section (1) of section 7 of the Rajasthan Civil Courts Ordinance, 1950 (Ordinance 7 of 1950) read with sub-section (1) of section 12 and section 16 thereof, the State Government hereby creates with effect from 1st September, 1962, the following twenty-seven Courts of Munsifs, in addition to those already existing, with headquarters at the places and with jurisdiction extending over the areas specified against each, namely:—

S. No.	Name of the Court.	Place of Head-quarters.	Extent of jurisdiction.
1	2	3	4
1.	Additional Munsif, Ajmer (East)	Ajmer	Ajmer city municipal limits.
2.	Additional Munsif, Ajmer (West)	Ajmer	Ajmer city municipal limits.

1	2	3	4
3. Munsif, Beawar	Beawar	Beawar Sub division.	
4. Additional Munsif, Kekri	Kekri	Kekri Sub-division and Sarwar Tehsil of Kishangarh Sub-division.	
5. Additional Munsif, Barmer	Barmer	Barmer and Sheo Tehsils.	
6. Additional Munsif, Jalore	Jalore	Jalore and Ahor Tehsils	
7. Munsif, Bharatpur	Bharatpur	Bharatpur Sub-division	
8. Additional Munsif, Dholpur	Dholpur	Dholpur Sub division.	
9. Additional Munsif, Karauli	Karauli	Karauli Sub-division.	
10. Additional Munsif, Deeg	Deeg	Deeg Sub-division.	
11. Munsif, Bhilwara	Bhilwara	Bhilwara, Mandal, Mandalgarh and Banera Tehsils.	
12. Additional Munsif, Bikaner	Bikaner	Bikaner District.	
13. Additional Munsif, Jaipur (East)	Jaipur	Eastern part of Jaipur city Municipal limits.	
14. Additional Munsif, Jaipur (West)	Jaipur	Western part of Jaipur City Municipal limits.	
15. Additional Munsif, Jaipur District	Jaipur	Jaipur Sub-divisions excluding Jaipur City, Amer Sub-division and Phagi Tehsil of Phulera Sub.	
16. Additional Munsif, Dausa	Dausa	Dausa and Lalsot Tehsils.	
17. Munsif, Chirawa	Chirawa	Chirawa Tehsil.	
18. Munsif, Neem ka Thana	Neem-ka-Thana	Neem-ka-Thana Sub-division.	
19. Additional Munsif, Sikar	Sikar	Sikar Sub-division.	
20. Additional Munsif (No. 1), Jodhpur City	Jodhpur	Jodhpur City.	
21. Additional Munsif (No. 2), Jodhpur City	Jodhpur	Jodhpur City.	
22. Additional Munsif (No. 1), Kota	Kota	Kota City, Tehsils Ladpura, Digod and Barod and Chechat Sub-Division.	
23. Additional Munsif (No. 2), Kota	Kota	-do-	
24. Additional Munsif (No. 3), Kota	Kota	-do-	
25. Munsif Merta	Merta	Merta Sub-division.	
26. Munsif, Pali	Pali	Pali Sub-division.	

27: Additional Munsif, Udaipur Udaipur Udaipur City, Girwa
Tehsil of Udaipur Sub-
division and Phalasia
Sub-division.

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

Published in Raj. Raj-patra part I (a) dated August, 25, 1962 at page 25-29 :

Judicial Department
NOTIFICATION

Jaipur, August 23, 1962

No. F. 1 (19) LJ/B/58.—In exercise of the powers conferred by clause (a) of the proviso to sub-section (1) of section 19 of the Rajasthan Civil Courts Ordinance, 1950 (Ordinance 7 of 1950), the State Government hereby directs that, with effect from the 1st day of September, 1962, the Civil Judge, Kishangarh shall cease to exercise, in virtue of his office, jurisdiction in respect of all suits and original proceedings of which the value exceeds rupees ten thousand.

By Order of the Governor,
LEHAR SINGH MEHTA
Secretary to the Government.

Judicial Department
NOTIFICATION

Jaipur, August 23, 1962.

No. F. 1 (19) LJ/B/58.—In exercise of the powers conferred by sub-section (1) of section 7 of the Rajasthan Civil Courts Ordinance, 1950 (Ordinance 7 of 1950) read with sub-section (1) of section 12 and section 16 thereof, the State Government hereby creates with effect from 1st September, 1962, the following new Courts of Civil Judges and Munsifs with headquarters at the places and with jurisdiction extending over the areas specified against each, namely:—

S. No.	Name of the court.	Place of head-quarters.	Extent of jurisdiction.
1	2	3	4
1.	Civil Judge, Hanumangarh	Hanuman garh	Sadulgarh Tehsil.
2.	Additional, Munsif Hindaun	Hindaun	Hindaun Sub-division.
3.	Munsif, Ganganagar	Ganga-nagar	Ganganagar and Karan-pur Sub-divisions.
4.	Munsif, Merta	Merta	Merta Sub-division.

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government.

RULES UNDER

Section 122 of Code of Civil Procedure, 1908

Notes

The rules in the first schedule of the code of civil Procedure are to have effect as it enacted in the body of the code until annulled or altered in accordance with the provisions of part X of the code. Section 122 of the code of civil Procedure provides that,"

High Courts ¹(not being the Court of a Judicial Commissioner) may from time to time alter previous publication, make rules regulating their own procedure and the procedure of the Civil Courts subject to their superintendence, and may by such rules annul, alter or add to all or any of the rules in the First Schedule.

Section 126 of the Code requires that rules made under section 122 shall be subject to the previous approval of the State Government and section 127 of the Code requires that rules so made and approved shall be published in official Gazette and shall have the same force and effect as it they have been contained in the first schedule of the Code.

The matters for which these rules may provide are contained in section 128 of the code which reads as under:—

(1) such rules shall be not inconsistent with the provisions in the body of this Code, but, subject thereto, may provide for any matters relating to the procedure of Civil Courts.

(2) In particular, and without prejudice to the generality of the power conferred by sub-section (1) such rules may provide for all or any of the following matters, namely:

(a) the service of summonses, notices and other processes by post or in any other manner either generally or in any specified areas, and the proof of such service;

(b) the maintenance and custody, while under a attachment of live-stock and other moveable property, the fees payable for such maintenance and custody, the sale of such live-stock and property, and the proceeds of such sale;

(c) procedure in suits by way of counterclaim, and the valuation of such suits for the purposes of jurisdiction;

(d) procedure in garnishee and charging orders either in addition to, or in substitution for, the attachment and sale of debts;

(e) procedure where the defendant claims to be entitled to contribution or indemnity over against any person whether a party to the suit or not;

(f) summary procedure—

(i) in suits in which the plaintiff seeks only to recover a debt or liquidated demand in money payable by the defendant; with or without interest, arising—

on a contract express or implied; or

on an enactment where the sum sought to be recovered is a fixed sum of money

or in the nature of a debt other than a penalty; or

on a guarantee, where the claim against the principal is in respect of a debt or liquidated demand only; or

on a trust; or

(ii) in suits for the recovery of immovable property, with or without a claim for rent or mesne profits, by a landlord against a tenant whose term has expired or has been duly determined by notice to quit, or has become liable to forfeiture for non-payment of rent, or against persons claiming under such tenant;

*These rules have been first published in Rajasthan Raj-patra Dated July 24, 1954
part IV (c) at page 211.*

- (g) procedure by way of originating summons,
- (h) consolidation of suits, appeals and other proceedings;
- (i) delegation to any Registrar, Prothonotary or Master or other official of the Court of any judicial, quasi-judicial and non-judicial duties; and
- (j) all forms, registers, books, entries and accounts which may be necessary or desirable for the transaction of the business of Civil Courts.

The High Court of Judicature for Rajasthan have framed the following rules from time to time in pursuance of the power conferred under section 122 of the Code with a view to annul, alter or add to the rules in the first schedule as referred below.

PART I

The rules in this part have been framed vide the High Court notification No. 29/S. R. O. dated 8th July 1954, published in Rajasthan Gazette, Part iv (c), dated 24. 7. 1954. The notification is reproduced below:—

Rajasthan High Court, Jodhpur

NOTIFICATION

Jodhpur, July 8, 1954.

No. 29/S. R. O.—The following Rules made by the High Court under section 122 of the Code of Civil Procedure, 1908 with the previous approval of His Highness the Rajpramukh under section 126 of the Code of Civil Procedure, 1908 (vide Secretary to the Government, Law and Judicial Department's letter No.F. 4 (4 Jud./54, dated 15-5-54) are hereby published for general information.

These rules will come into force from the date of publication in the Gazette.

By Order of the Court,
M. L. RAZDAN
Registrar.

Notes

The rules stand duly corrected as per corrigenda No. 39/S. R. O. dated 13-9-1954 published in Rajasthan Gazette, part IV (c) dated 25-9-1954.

1. The following rules shall be added to Order VII as rules 19 to 25. Order VII relates to provisions regarding plaint.

“19 (1) Every plaint or original petition shall be accompanied by a memorandum giving an address at which service of process may be made on the plaintiff or petitioner. Plaintiffs or petitioners subsequently added shall, immediately on being added, file a memorandum of this nature.

(2) This address shall be called the registered address and it shall hold good through out interlocutory proceedings and appeals and also for a further period of two years from the date of final decision and for all purposes including those of execution.

20. An address for service filed under the preceding rule shall be within the local limits of the district court within which the suit or petition is filed. or of the district court within which the party ordinarily resides, if within the limits of Rajasthan.

21. (1) where a plaintiff or petitioner fails to file an address for service, he shall be liable to have his suit dismissed or his petition rejected by the court *suo moto* or any party may apply for an

order to that effect, and the court may make such order as it thinks just.

(2) Where a suit is dismissed or a petition rejected under sub-rule (1) the plaintiff or the petitioner may apply for an order to set the dismissal or the rejection aside and if he files a registered address and satisfies the Court that he was prevented by any sufficient cause from filing the registered address at the proper time, the Court shall set aside the dismissal or the rejection upon such terms as to costs or otherwise as it thinks fit and shall appoint a day for proceeding with the suit or petition.

22. Where a party is not found at the address given by him for service and no agent or adult male member of his family on whom a process can be served, is present, a copy of the process shall be affixed to the outer door of the house. If on the date fixed, such party is not present and the process is not declared by the Court under Rule 19 of Order V to have been duly served, another date shall be fixed and a copy of the process shall be sent to the registered address by registered post, and such service shall be deemed to be as effectual as if the process had been personally served.

23. Where a party engages a pleader, processes for service on him shall be served in the manner prescribed by Order III, Rule 5, unless the Court directs service at the address for service given by the party.

24. A Party who desires to change the address for service given by him as aforesaid shall file a verified petition, and the Court may direct the amendment of the record accordingly. Notice of such petition shall be given to such other parties to the suit as the court may deem it necessary to inform, and may be either served upon the pleaders for such parties or be sent to them by registered post, as the Court thinks fit.

25. Nothing in these rules shall prevent the Court from directing the service of a process in any other manner, if for any reason it thinks fit to do so".

Notes

2. The following rules shall be added as Rules 11 and 12 of Order VIII. Order VIII contains provisions regarding written statements and set off.

"11. (1) Every party whether original, added or substituted who appears in any suit or other proceeding shall on or before the date fixed in the summons or notice served on him as the date of hearing, file in Court a memorandum stating his address for service and if he fails to do so he shall be liable to have his defence if any struck out and to be placed in the same position as if he had not defended. In this respect the Court may act *suo moto* or on the application of any party for an order to such effect, and the court may make such order as it thinks just.

(2) Where the Court has struck out the defence under sub-rule (1) and has adjourned the hearing of the suit or the proceeding and

where the defendant or the opposite party at or before such hearing, appears and assigns good cause for his failure to file the registered address he may upon such terms as the Court directs as to costs or otherwise be heard in answer to the suit or the proceeding as if the defence had not been struck out.

(3) Where the Court has struck out the defence under sub-rule (1) and has consequently passed a decree or order, the defendant or the opposite party, as the case may be, may apply to the Court by which the decree or order was passed for an order to set aside the decree or order, and if he files a registered address and satisfies the Court that he was prevented by any sufficient cause from filing the address, the Court shall make an order setting aside the decree or order as against him upon such term as to costs or otherwise as it thinks fit, and shall appoint a day for proceeding with the suit or proceeding:

Provided that where the decree or order is of such a nature that it cannot be set aside as against such defendant or opposite party only it may set aside as against all or any of the other defendants or opposite parties.

12. Rules 19 (2), 20, 22, 23, 24 and 25 of Order VII shall apply, so far as may be, to addresses for service filed under the proceeding rule".

Notes

3. The following shall be substituted for Rule 3 of Order XVI. Order XVI contains provisions regarding summoning and attendance of witness and its rule 3 is for "tender and expenses to witnesses"

"The sum so paid into Court may, and if so required by the person summoned, 'shall be tendered to him at the time of serving the summons' if it can be served personally."

4. The following proviso may be added to Rule 8 of Order XVI Rule 8 of Order XVI Contains provisions for the service of summons on witnesses.

"Provided that any party may, by leave of the court, by himself or through his agent serve any of his witness or witnesses.

"Provided that any party may, by leave of the Court, by himself or through his agent serve any of his witness or witnesses personally."

PART II

Notes

The rules in this part have been framed vide notification N. 33/S. R. O. dated July 21st, 1954 published in Rajasthan Gazette Part IV (c) dated 14. 8. 1954 Notification reads as under:—

Rajasthan High Court, Jodhpur

NOTIFICATION.

Jodhpur, July, 21, 1954.

No. 33/S.R.O.—The following rules made by the High Court under section 122 of the Code of Civil Procedure, 1908 with the previous approval of His Highness the Rajpramukh under section 126 of the Code of Civil Procedure, 1908 (vide Secretary to the Government, Law and Judicial Department's letter No. F.4 (4)Jud. /54, dated 4-6-54) are hereby published for general information.

These rules will come into force from the date of publication in the Gazette.

By Order of the Court,
M. L. RAZDAN,
Registrar.

Notes

1. The following shall be added as Rule 8 in Order II. Order II is regarding the frame of suit.

"8 (1) Where such objection has been allowed by the Court, the plaintiff shall be permitted to select the cause of action with which he will proceed and shall within a time to be fixed by the Court amend the plaint by striking out the remaining causes of action.

(2) When the plaintiff has selected the cause of action with which he will proceed, the Court may on his application pass an order giving him time within which to submit amended plaints for the remaining causes of action and for making up the court fees that may be necessary. Should the plaintiff not comply with the Court's order, the Court shall proceed as provided in Rule 18 of Order VI and as required by the provisions of the Court-Fees Act."

Notes

2. The following amendments shall be made in Rule 4 of Order III. Order III relates to recognised agents and pleaders and its rule 4 provides procedure for appointment of pleaders.

(a) In Sub-rule (3), the words "or any application relating to such appeal" shall be added between the words "order in the suit" and 'and any application or act.'

(b) The following shall be added as sub-rule (6).—

'(6) No Government pleader within the meaning of Order XXVII Rule 8-B shall be required to present any document empowering him to act, but such pleader shall file a memorandum of appearance signed by himself and stating the particulars mentioned in sub-rule (5)'

Notes

3. In rule 5 of Order iii the words, "on a pleader who has been appointed to act for any party" shall be substituted for the words "on the pleader for any party." Rule 5 of Order iii provides for service of process on pleaders.

4. In Rule 1 of Order iv the following shall be substituted for sub-rule (i) Order iv contains provisions regarding institutions of suits.

"1 (i) Every suit shall be instituted by presenting to the Court or such officer as it appoints in this behalf a plaint, together with as many true copies on plain paper of the plaint as there are defendants for service with the summons upon each defendant, unless the Court, for good cause shown allows time for filling such copies."

Notes

5. In Rule 2 of Order v the words "Or, if so permitted by a concise Statement" shall be omitted. Order v contains provisions regarding issue and service of summons and its Rule 2 provides for the annexure of plaint's copy with the summons.

6. The following proviso shall be added to Rule 10 of Order V. Rule 10 contains provisions regarding mode of service of summons.

"Provided that in any case the Court may in its discretion send the summons to the defendant by registered post in addition to the mode of service laid down in this rule. An acknowledgment purporting to be signed by the defendant or an endorsement by postal servant that the defendant refused to take the delivery may be deemed by the Court issuing the summons to be *prima facie* proof of service.

Notes

7 In Rule 15 of Order v the words, "when the defendant is absent or cannot be personally served" shall be substituted for the words, "where in any suit the defendant. Cannot be found", Rule 15 provides for service of summons on male member of defendant's family.

8. The following amendments shall be made in Rule 15 of Order xxxiii. Order xxxiii contains provisions regarding suits by paupers and its rule 15 provides procedure on admission of application to sue as pauper.

(a) Rule 15 shall be renumbered as Rule 15(1)

(b) The following shall be added as Rule 15(2)

"15(2) Nothing in sub rule (1) shall prevent the Court while rejecting an application under Rule 5 or refusing an application under Rule 7 from granting time to the applicant to pay the requisite court fee within a time to be fixed by the Court; and upon such payment the suit shall be deemed to have been instituted on the date on which the application was presented."

Notes

9. The following shall be added as Rule 1A in Order xlv. Order xlv contains provisions regarding pauper appeals and its Rule 1 provides for procedure on admission of application to appeal as pauper.

"1A—Where an application is rejected under Rule 1, the Court may while rejecting the application allow the applicant to pay the requisite court fee within a time to be fixed by it; and upon such payment the memorandum of appeal in respect of which such fee is payable shall have the same force and effect as if such fee had been paid in the first instance."

PART III

Notes

The rules in this part have been framed vide notification No. 13/ S.R.O. dated 8th June, 1956 published in Rajasthan Raj-patra part iv (c), dated 30. 9. 1956. The notification reads as under.

Rajasthan High Court, Jodhpur,
NOTIFICATION

Jodhpur, June 1, 1956.

No.13/S R.O.—The following rules made by the High Court under section 122 of the Code of Civil Procedure, 1908 with the previous approval of his Highness the Rajpramukh (vide Secretary to the Government of Rajasthan, Law and Judicial Department's letter No. D.2701/F.4(4)Jud/56, dated the 7-5- 56) are hereby published for general information.

These rules will come into force from the date of publication in the Gazette.

By Order of the Court,
M. L. RAZDAN,
Registrar.

Notes.

1. Rule 1 or Order xlii of the code shall be amended as follows. Order xlii provides procedure for appeals from appellate decrees.

1. *Procedure.*—The rules of Order XLI shall apply so far as may be, to appeals from appellate decrees, subject to the following proviso :—

Every memorandum of appeal from an appellate decree shall be accompanied by a copy of the decree appealed from and unless the Court sees fit to dispense with any or all of them.

(1) copy of the judgment on which the said decree is founded.

(2) a copy of the judgment of the Court of first instance: and

(3) a copy of the finding of the Civil or the Revenue Court as the case may be where an issue is remitted to such Court for decision.

Notes

2. The following amendments shall be made in Rule 6 of Order IX relates to "appearance of parties and consequences of non appearances" and its Rule 6 provides procedure when only plaintiff appears :—

The words "the Court may proceed ex-parte" shall be substituted by the words "the court may make an order that the suit be heard ex-parte"

3. The following shall be substituted for Rule 7 of Order ix. Rule 7 provides for the, "procedure where defendant appears on the day of adjourned hearing and assigns good cause for his previous non-appearance."

Rule 7. "Where the Court has adjourned the hearing of the suit after making an order that it be heard ex-parte and the defendant at or before such hearing appears and assigns good cause for his previous non appearance, the Court may upon such terms as it directs as to costs or otherwise, set aside the order for the hearing of the suit ex-parte and hear the defendant in answer to the suit as if he had appeared on the day fixed for his appearance."

The rules in this part have been framed vide notification No. 10/ S.R.O. dated June 29th, 1957, published in Rajasthan Gazette part iv (c), dated 25th July, 1957. The Notification is produced below.

Jodhpur, June 29, 1957.

No. 10/S/R/O.—The following rules made by the High Court under section 122 of the Code of Civil Procedure, 1908 with the previous approval of the Governor (vide Secretary to the Government of Rajasthan, Law and Judicial Department's letter No.2591/F 4 (6) LJ/B/57 dated 7-6-57) are hereby published for general information.

These rules will come into force from the date of Publication in the Gazette.

Notes.

1. The following shall be inserted as proviso to Rule 22 of Order v, Rule 22 provides for service of summons outside jurisdiction.

Provided that any such summons may instead be addressed to the defendant at the place within such limits where he is residing and may be sent to him by the Court by post registered for acknow-

ledgment. An acknowledgment purporting to be signed by the defendant or an endorsement by a postal servant that the defendant refused service shall be deemed by the court issuing the summons to be *prima facie* proof of service. In all other cases the Court shall hold such inquiry as it thinks fit and either declare the summons to have been duly served or order such further service as may in its opinion be necessary."

Notes.

2. Rule 1 of Order xvi shall be amended as follows. Rule 1 of Order xvi relates to summoning and attendance of witnesses to give evidence or produce documents.

The following shall be substituted for Rule 1 :—

1. (1) On such date as the Court may appoint and not later than thirty days after the settlement of issues, each party shall present in Court a list of witnesses whom it purposes to produce.

Provided that a party giving evidence in rebuttal may file a supplementary list of witnesses with the permission of the Court not later than fifteen days from the date of closure of the evidence of his opponent.

- (2. No party shall produce or obtain process to enforce the attendance of witnesses other than those contained in the list referred to in sub-rule (i), except with the permission of the Court and after showing good cause for the same, and the Court granting or refusing such permission shall record reasons for so doing.

Notes.

Proviso to sub-rule (i) of rule 1 of Order XVI and sub rule (2) of rule 1 of Order XVI have respectively been added and substituted vide Rajasthan

High Court Notification No 1/S. R. O. dated January 20, 1961, published in Rajasthan Raj-patra, part IV (c), dated March 23, 1961. Sub-rule (2) previous to the present substituted stood as under :—

“No party shall be permitted to produce witnesses other than those contained in the said list except with the permission of the Court and after showing good cause for the omission of the said witnesses from the list; the Court granting such permission shall record reasons for so doing.

(3) On the application to Court or to such officer as it appoints in this behalf, the parties may obtain summonses for persons whose attendance is required in Court.

(4) Where in accordance with the proviso to Rule 8 of Order XVI a party has obtained summonses for any witnesses for service by himself or through his agent summonses for any such witnesses shall not unless specially ordered by the Court for reasons to be recorded in writing, be re-issued for service in the manner provided for the service of summons to a defendant.

Notes.

2. Rule 4 of Order xviii shall be amended by inserting the following words at the commencement of the rule. Order xviii relates to hearing of suit and examination of witnesses and its Rule 4 provide for the procedure in this regard.

“Subject to the provisions of Rule 1, of Order xvi.”

4. The following shall be inserted as sub-rule (4) to Rule 2 of Order xviii. Rule 2 provides procedure for statement and production of evidence.

(4) Where a party himself wishes to appear as a witness he shall so appear before any other witness on his behalf has been examined; provided that the Court may on an application made in this behalf and for reasons to be recorded, permit him to appear as his own witness at a later stage.

Rules under The Code of Civil Procedure, 1908.

AMENDMENTS

RAJASTHAN HIGH COURT, JODHPUR

Jodhpur, December, 23, 1964

Notification No. 8/S. R. O.—In exercise of the powers conferred by section 122 of the Code of Civil Procedure, 1908 (Central Act V of 1908), the High Court of Judicature for Rajasthan, with the previous approval of the State Government and in conformity with the procedure laid down therefor in the said Code, makes the following amendments to the rules, in the First Schedule to the said Code, hereinafter referred to as the said rules, namely:—

In the said rules—

(1) in Order V, in rule 26, the following proviso shall be inserted:—

Provided that the Court issuing the summons shall, if the State Government by notification in the Official Gazette so directs, send the summons to the Government or other officer specified in that behalf, of the foreign territory in which the Court in respect of which a declaration has been made by the State Government under clause (b) is situated and in which the defendant resides, through the Ministry of the Central Government dealing with the External Affairs, or such officer as may be specified in the said notification in this behalf, for causing the summons to be served upon the defendant by such Court or the officer of the foreign territory as aforesaid, and if such court or the officer, returns the summons with an endorsement signed by the Judge or any officer of such Court or the aforesaid officer of the foreign territory, that the summons has been served on the defendant in the manner hereinbefore directed such endorsement shall be deemed to be evidence of service”

(2) in order XX, the existing rule 3 shall be re-numbered as sub-rule (1) of that rule, and after sub-rule, (1) as so re-numbered, the following sub-rules shall be inserted:—

(2) Where the judgement is pronounced by dictation to a shorthand writer in open court, the transcript of the judgement so pronounced shall, after such revision as may be deemed necessary, be signed by the Judge and shall bear the date of its pronouncement.

(3) In cases where judgement is not written by the judge in his own hand, and dictated and taken down verbatim by another person, each page of the judgement shall be initialled by the Judge.”;

(3) in Order XXI, rule 43—

(a) the existing rule 43 shall be re-numbered as sub-rule (1) of that rule, and in sub-rule (1) as so re-numbered, the following proviso shall be further inserted:—

"Provided further that, when the property attached consists of live stock, agricultural implements, or other articles which cannot conveniently be removed and the attaching officer does not act under the first proviso to this rule, he may, at the instance of the judgement-debtor, the decree holder or any person claiming to be interested in such property, leave it in the village or at the place where it has been attached—

- (a) in the charge of the person at whose instance the property is retained in such village or place, if such person enters into a bond in Form No. 15-A of Appendix E to this schedule with one or more sufficient Sureties for its production when called for; or
- (b) in the charge of an officer of the court, if a suitable place for its safe custody be provided, and the remuneration of the officer for a period of 15 days at such rate as may from time to time be fixed by the High Court, be paid in advance; or
- (c) in the charge of a village Patwari or such other respectable person as will undertake to keep such property subject to the orders of the Court, if such person enters into a bond in form No. 15-E of Appendix E to this schedule, with one or more sureties for its production."

(b) after sub-rule (1) as so re-numbered, the following sub-rules shall be inserted:—

(2) Whenever an attachment made under the provisions of this rule ceases for any of the reasons specified in rules 55, 57 or 60 of this Order the court may order the restitution of the attached property to the person in whose possession it was before attachment.

(3) When property is made over to a custodian under paragraph (a) or (c) of the second proviso to sub-rule (1), the schedule of property annexed to the bond shall be drawn up by the attaching officer in triplicate, and shall be dated and signed by—

- (a) the custodian and his surety,
- (b) the officer or the Court who made the attachment,
- (c) the person whose property is attached and made over; and
- (d) two respectable witnesses.

One copy shall be transmitted to the Court by the attaching officer and placed on the record of the proceedings under which the attachment has been ordered, one copy shall be made over to the person whose property is attached and one copy shall be made over to the custodian."

(4) in Order XLI:—

(a) for rule 23, the following rule shall be substituted, namely:—

"(23) Remand of case by Appellate Court.—Where the Court from whose decree an appeal is preferred has disposed of the suit on a preliminary point and the decree is reversed in appeal, or where the Appellate Court, while

reversing or setting aside the decree under appeal considers it necessary in the interests of justice to remand the case, it may by order remand the case, and may further direct what issue or issues shall be tried in the case so remanded, and shall send a copy of its judgment and order to the Court from whose decree the appeal is preferred, with direction to re-admit the suit under its original number in the register of civil suits, and proceed to determine the suits; and the evidence, (if any) recorded during the original trial shall, subject to all just exceptions, be evidence during the trial after remand."

(b) the existing rule 31 shall be renumbered as sub-rule (1) of that rule, and after sub-rule (1) as so re-numbered, the following sub-rules shall be inserted:—

"(2) Where the judgement is pronounced by dictation to a shorthand writer in open court, the transcript of the judgment so pronounced shall, after such revision as may be deemed necessary, be signed by the Judge and shall bear the date of its pronouncement.

(3) In cases where a judgement is not written by the Judge in his own hand, but dictated and taken down verbatim by another person, each page of the judgement shall be initialled by him."

(5) In Appendix E, after Form No. 15, the following Forms shall be inserted, namely:—

FORM No. A

Bond for Safe Custody of Movable Property attached and Left in Charge of Person Intersted and Sureties (Order XXI, rule 43)

In the court of..... at.....
Civil suit No..... of.....

A.B. of.....

against

C.D. of.....

Know all men by these presents that we, I.J. of
etc., and K. L. of..... etc., and M. N.....
etc., are jointly and severally bound to the Judge of the Court.....in Rupees
..... to be paid to the said Judge for which payment to be made
we bind ourselves, and each of us, in the whole, our and each of our heirs,
executors and administrators, jointly and severally, by these presents.

Dated this day of 19.....

And whereas the movable property specified in the Schedule hereunto annexed has been attached under a warrant from the said court, dated the day of... 19..... in execution of a decree in favour of.....in
suit No of... 19..... on the file of.....and
the said property has been left in the charge of the said I.J. .

Now the condition of this obligation is that, if the above bounden I.J. shall duly account for and produce when required before the said Court all and every the property aforesaid and shall obey any further order of the Court in respect thereof, then this obligation shall be void; otherwise it shall remain in full force.

I. J.

K. L.

M. N.

Signed and delivered by the above bounden
... ..in the presence of

FORM No. B

**"BOND FOR SAFE CUSTODY OF MOVABLE PROPERTY ATTACHED
AND LEFT CHARGE OF ANY PERSON AND SURETIES
(Order XXI, Rule 43)**

In the court of at.....
Civil Suit No..... of.....
A. B. of.....
against

C. D. of.....

Know all men by these presents that we, I. J. ofetc., and K. L. ofetc., and M. N. ofetc., are jointly and severally bound to the Judge of the Court ofin Rupres.....to be paid to the said Judge for which payment to be made we bind ourselves, and each of us in the whole, our and each of our heirs, executors and administrators jointly and severally, by these presents.

Dated this..... day of..... 19.....

And whereas the movable property specified in the schedule hereunto annexed has been attached under a warrant from the said Court, dated the day of.....19.... in execution of a decree in favour of in suit No of.....19.....on the file ofand the said property has been left in the charge of the said I. J.

Now the condition of this obligation is that, if the above bounden I.J. shall duly account for and produce when required before the said court all and every the property aforesaid and shall obey any further order of the court in respect thereof, then this obligation shall be void; otherwise it shall remain in full force and be enforceable against the above bounden I.J. in accordance with the procedure laid down in section 145, Civil Procedure Code, as if the aforesaid I. J. were a surety for the restoration of property taken in execution of a decree.

I.J.

K. L.

M. N.

Signed and delivered by the above bounden
.....in the presence

RULES FOR PAYMENT OF EXPENSES TO WITNESSES IN CIVIL COURTS.

Jodhpur, May 7, 1958.

No. 17/S. R. O.—In exercise of the powers conferred under Order XVI, Rule 2 (3) of the Civil Procedure Code 1898, the Rajasthan High Court, with the previous approval of the State Government (vide Law Secretary's letter No. D—1274/F. 4 (23) LJ/B/57 dated 22nd April, 1958) has been pleased to frame the following rules relating to payment of expenses to witnesses in Civil Courts.

These rules will come into force from the date of publication in the Gazette.

Notes

These rules have been framed in exercise of powers conferred under sub-rule (3) of rule 2 of Order XVI of Civil Procedure Code. Order XVI Rule 2 of the Code reads as under:—

(1) The party applying for a summons shall, before the summons is granted and within a period to be fixed, pay into Court such a sum of money as appears to the Court to be sufficient to defray the travelling and other expenses of the person summoned in passing to and from the Court in which he is required to attend, and for one day's attendance.

(2) In determining the amount payable under this rule, the Court may, in the case of any person summoned to give evidence as an expert, allow reasonable remuneration for the time occupied both in giving evidence and in performing any work of an expert character necessary for the case.

(3) Where the Court is subordinate to a High Court, regard shall be had, in fixing the scale of such expenses, to any rules made in that behalf.

1. *Rates of expenses.*—The following are the authorised rates of diet allowance to be paid to witnesses:—

(a) for the ordinary class, Rs. 1/8/- per diem,

(b) for witnesses of superior rank, a diet allowance according to the circumstances upto a limit of Rs. 3/-per diem.

2. Diet money shall be paid for the days of actual detention as well as for the time occupied in the journeys to and from the Court. The number of days which should be allowed for the journey to and from will be determined by the officer ordering payment in each case.

3. In addition to diet allowance, travelling allowance shall be given at the following rates:—

(a) When the journey is by road and performed in a hired conveyance or his own conveyance the actual expenses incurred up to a maximum of four annas a mile or in the case of witnesses of superior rank upto six annas a mile. In towns where licensed hackney carriages ply for hire, the actual cost of hiring a vehicle suited to the rank of a witness may be allowed, if in the opinion of the Court, the use of such a vehicle was necessary.

These rules have been first published in Rajasthan Raj-patra dated June 12, 1958, in Part IV (c) at page 424.

(b) When the journey is performed on foot, road mileage at -/1/-per mile.

(c) Where the journey is wholly or partly by rail--

(i) generally, railway fare by the lowest class,

(ii) for witnesses of higher rank, second or first class railway fare according to circumstances.

4. A Government servant who is summoned to give evidence in a civil case to which Government is a party, of facts which have come to his knowledge or of matters with which he has had to deal in his public capacity, is entitled to draw travelling allowance as on tour from Government. Accordingly, the courts should not grant to such Government servants expenses which may have been deposited in such cases for their travelling and halting or subsistence allowances. The amount should be credited to Government under head "XXI-Administration of Justice-Misc. Fees and Fines." In the case of employees of the Central Government or State Railway or any other Commercial Department of Government however, sums deposited for diet money will be credited in the Treasury to the credit of the Government concerned, i. e., Central Railway or any other Commercial Department or Government as the case may be.

5. When a Government servant is summoned to give evidence at a Court situate not more than 5 miles from his headquarters, and no T. A. is therefore, admissible for the journey, the Court may, if it considers necessary, pay him the actual travelling expenses incurred, if such Government servant is not in receipt of permanent T. A.

6. (1) A Government servant who is summoned to give evidence of facts which came to his knowledge in the discharge of his duties or to produce official documents in a suit in which the Government is not a party will be paid travelling expenses etc. by the courts at the rate admissible to the Government servants for a journey on tour. In order to enable the courts to assess the amount admissible to him the Government servant should carry to the Court a certificate duly signed by the Controlling Officer of the Government servant showing the rate of travelling and daily allowance admissible to him for a journey on tour. If the Government servant is his own Controlling Officer, the certificate will be signed by him as such.

(2) The party so calling a Government servant shall be required to deposit his salary for the day or days spent by him in evidence and journey. The amount so deposited would be credited to the Government account and would be in addition to the travelling expenses to be paid to the Government servant by the party.

7. A Government servant summoned to give evidence in circumstances other than those described in rules 4, 5 and 6 above, is not entitled by reason of his position as a Government servant, to

any payments other than those admissible to other witnesses under these rules. If the Court pays him any sum as subsistence allowance or compensation, apart from payment for travelling expenses, he must credit that sum to Government before drawing full pay for the day or days of absence.

8. In all cases in which a Government servant is summoned to give evidence the court should give him a certificate in the following form (A) specifying the dates on which the officer was required to attend and the amount, if any, paid by the court. The certificate will be attached by the officer concerned to any travelling allowance bill which he may submit. A copy of the Certificate should be endorsed to the Head of the Department concerned for his information.

FORM 'A'

Certificate of Attendance.

Court of the.....at
v.....Case No.....of.....

Certified that.....
 appeared in this Court as a witness on behalf of.....
 in the above case for.....days from.....
 to.....in his official capacity, and that he was
 not paid any allowance for his attendances (or was paid the under-
 mentioned allowances for his attendance).

Dated the.....195 . Signature.....
Designation
Rs. a. p.

1. Railway Fare.....Class...

2. Mileage for.....Miles...

3. Diet allowance for.....days...

Total...

By Order of the Court,
G. M. MEHTA,
Registrar.

RULES REGARDING PAUPER SUITS AND APPEALS

LAW DEPARTMENT ORDER

Jaipur, December 29, 1953.

No. F. 12 (34) L./53.—The State Government is pleased to make the accompanying rules prescribing the procedure to be followed by Collectors of Districts and Government Pleaders in relation to application filed in the Civil Courts to sue or appeal in forma pauperis.

By Order of,
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to the Government.

1. *Notice to Government Pleader*—(1) When an application to sue or to appeal in forma pauperis is filed in court, notice is given to the Government Pleader under rule 6 of Order XXXIII or rule 1 of Order XLIV of the first schedule to the Code of Civil Procedure as the case may be.

(2) On receipt of the notice, the Government Pleader shall at once submit a report to the Collector setting forth:—

- (a) the name, description and place of residence of the applicant;
- (b) the relief claimed;
- (c) the schedule of property belonging to the applicant; and
- (d) the date fixed for hearing.

(3) The Government Pleader may, if necessary, take steps for obtaining an adjournment of the hearing of the application for a period sufficient for the completion of the enquiry by the Collector.

2. *Government Pleader's duty to examine the application.*—The Government Pleader shall examine the application and ascertain that the procedure enjoined by rules 2 and 3 of Order XXXIII of the first schedule to the Code of Civil Procedure has been followed, and that none of the objections mentioned in rule 5 of Order XXXIII of the Code can be taken to the petition. If he discovers any error or objection, he shall take the first opportunity of bringing it to the notice of the court in a written petition.

3. *Enquiry into pauperism and instructions to Government Pleader.*—(1) On receipt of the Government Pleader's report the Collector will, if necessary, with the assistance of the Superintendent of Police, cause an enquiry to be made into the plea of pauperism, and on the result of the enquiry, will instruct the Government pleader whether he should appear or not to oppose the application.

These rules have been first published in Rajasthan Raj-patra Dated February 13, 1954 part 1 at page 1.

(2) If the Collector decides that the application should be opposed, he will also forward to the Government Pleader, all the papers relating to the enquiry made by him.

4. *Government Pleader to appear in pauper cases only when directed by the Collector.*—The Government Pleader should not appear to oppose an application to sue in forma pauperis unless directed to do so by the Collector. He should, however, appear to oppose all applications for leave to appeal in forma pauperis.

5. *Special direction in pauper appeals.*—Application for leave to appeal in forma pauperis are often admitted when they might be successfully opposed under rule 1 of Order XLIV of the first schedule to the Code of Civil Procedure, 1908. Such applications can only be admitted when the court, "upon a perusal of the application and of the judgement and decree against which the appeal is made, sees reason to think that the decree is contrary to law or to some usage having the force of law, or is otherwise erroneous or unjust. This point must, whenever possible, be taken by the Government Pleader and strongly pressed upon the notice of the court.

6. *Collector to satisfy if the application is not collusive.*—In some cases persons who cannot decide their disputes without the intervention of a civil court collude to bring a suit in forma pauperis. In other cases persons who would ordinarily all appear as plaintiffs put forward one of their number, who is a pauper, as the sole plaintiff and the rest are arrayed as proforma co-defendants. Before deciding not to oppose an application to sue in forma pauperis, the Collector must satisfy himself that there is no ground for suspecting collusion of any kind.

7. *Costs to be claimed.*—When an application to sue or to appeal in forma pauperis is opposed by the Government Pleader, he should invariably ask the court to award him his costs in case the application be refused, and in such case he should obtain a copy of the order passed and submit it to the Collector.

8. *Government Pleader to examine decrees in pauper cases.*—When the application to sue or to appeal in forma pauperis has been allowed, and an order is made under rule 10, rule 11 or rule 12 of Order XXXIII of the first schedule to the Code of Civil Procedure, 1906, the court is required by rule 14 forthwith to cause a copy of the decree to be forwarded to the Collector. The Government Pleader should examine this decree carefully and see that all Government claims have been definitely included and charged by the court to one of the parties to the suit. If this has not been done he should immediately apply for amendment of the decree.

9. *No delay in execution.*—When the case has been finally decided by an order rejecting the application or by a decree in the suit, the Government Pleader shall, without any delay, submit a report in form A to the Collector, and ask for instruction as to the

steps to be taken to recover the Government dues. It is very necessary that there should be no delay in taking out execution in such cases.

10. *Pauper cases in High Court.*—In the High Court, copies of the decrees in appeals in forma pauperis will be supplied to the law officers attached to the court, and they should forward them without delay to the Legal Remembrancer. The Legal Remembrancer shall send such copies to the Collector concerned with instructions that proper steps be immediately taken to recover the dues of the State.

11. *Duties of the officer-in-charge of the pauper cases.*—The Collector shall on receipt of a copy of the order mentioned in rule 7 or the decree mentioned in rule 8 or rule 10 enter it with the connected papers and subsequent proceedings upon a file. The file should be placed in charge of an Assistant Collector whose duty it shall be to advise the Government Pleader as to the mode of execution, to ascertain the available assets and to proceed systematically in the case until the Government's claim is satisfied or until sanction is obtained to write off as irrecoverable any sums due to the Government. Where execution is sought by sale of immovable property, such officer shall supply the Government Pleader with copies of all the papers required by law to be filed in such proceeding.

12. *Register of pauper cases.*—The Collector shall maintain a register in form B and enter each case on a separate page. Entries in the first five columns shall be made from the Government Pleaders' report submitted under rule 7 or from a copy of the decree received under rules 8 or 10. As the case proceeds a memorandum in column 6 shall be added showing the amount of stamp duties realised and costs recovered.

13. *Sanction required to write off irrecoverable sums.*—When after every available effort has been made, any amount due to the Government is found to be irrecoverable, a report shall be made by the Collector to the Legal Remembrancer in form C who will obtain the sanction of the Government for writing off the amount. On receipt of sanction the amount shall be written off and the case struck off the file. The date of such sanction shall invariably be entered in form B before the file is deposited.

14. *Government dues first charge on the subjectmatter.*—The special attention of Collectors and Government Pleaders is invited to the provisions of rule 10 of Order XXXIII of the first schedule to the Code of Civil Procedure. That rule provides that if the plaintiff succeeds in the suit, the amount of court fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper shall be recoverable by the Government from any party ordered by the decree to pay the same and shall be a first charge on the subject matter of the suit. When the plaintiff has been successful and an application is submitted for sanction to write off as

irrecoverable any amount decreed as Court fees, it should invariably be shown that this amount can not be recovered as a first charge on the subject-matter of the suit.

15. *Expenses to be first incurred by Government Pleaders.*—The charges entailed in opposing an application for leave to sue or to appeal in forma pauperis and in execution of decrees in such cases are generally small. They should ordinarily in the first instance be defrayed by the Government Pleader and afterwards recovered by him as provided by rule 17.

16. *Annual statement by Collectors.*—The Collector shall submit to the Legal Remembrancer yearly on the 30th April, in form D an abstract statement showing the progress made in recovering all sums due to the Government in pauper suits and appeals. Collectors will also at the same time submit a report in form E with regard to applications for leave to sue or to appeal as a pauper which were opposed by the Government during the year.

17. *Bills in Pauper suits.*—The Bill for fees and other law charges in connection with pauper proceedings shall be prepared separately for each case by the Government Pleader and forwarded to the Collector who shall satisfy himself that (1) the Government Pleader actually appeared in the case under the written orders of the Collector, and (2) that the Court-fee payable on the plaint was correctly calculated. The Collector will pass on the Bill with a certificate as aforesaid to the Legal Remembrancer for countersignature.

Note.—Under rule 569 of the General Rules (Civil), 1952, the following provision has been made in respect of legal fees allowed to Government Pleaders in such cases:—

569. *Fees in inquiries into pauperism.*—In an inquiry as to pauperism under Order XXXII and XLIV of the Code, the fee payable to a Government Pleader, who has opposed an application for leave to sue as a pauper, or has applied for the dispaupering of the plaintiff, shall be fifteen per centum on the amount of the Court Fee that would be payable on the plaint if the suit were not brought by a person alleging pauperism; provided that no fee in excess of Rs. 112/8/- shall be payable under this rule.

A Government Pleader who appears in the proceedings for the execution of a decree without having appeared in Court in the proceedings prior to decree, is entitled to the fee prescribed in the first part of this rule.

18. *No power of attorney to Government Pleader in such cases.*—The Government Pleader in such suits and appeals is an officer recognized by the law and by the Court itself when it issues a notice upon him, and needs no power of attorney when he appears in cases under orders XXXIII and XLIV of the First schedule to the Code of Civil Procedure.

19. *Where there is no Government Pleader, notice to be served on the Collector.*—(1) If no Government Pleader is stationed at the Headquarters of any court, the notice referred to in rule 1 will be served on the Collector. The Collector is appointed to be Government Pleader for his district for discharging the functions of Government Pleader under rules 6 and 9 of Order XXXIII of the First schedule of the Civil Procedure Code in respect of such cases arising in Courts at the Headquarters of which no Government Pleader is stationed.

(2) If the Collector decides that the application to sue or appeal in forma pauperis is fit to be opposed, he will ordinarily engage a local lawyer to appear and act on behalf of the Government.

Note.—The local lawyer so engaged will be selected from amongst the panel of lawyers for Government cases where such a panel has been appointed.

PAUPER SUITS AND APPEALS
FORM C

(See Rule 13 and 14)

Report by Collector..... to Legal Remembrancer of Government in Pauper suits
considered irrecoverable

Number of the suit and name of Court.	Names of Parties.	Substance of plaint and value.	Date and nature. of final order.	Amount of Government dues.				Parties liable.	Measures for recovery taken, inquiries made and result. Please state the means of support and property, if any, possessed by the Judgment debtor.
				Items.	Amount due.	Realised.	Balance.		
1	2	3	4	5	6	7	8	9	10
					Rs. a.p.	Rs. a.p.	Rs. a.p.		
	Stamp dues								
	Costs								

Signature.

FORM D
(See Rule 16)

Statement showing progress made in the recovery of sums due to Government in pauper Suits and Appeals during the year ending 30th 19

1	2	3	4	5	6	7	8
Nature of claims	Balance due at close of previous year	Amount since ascertained.	Total of columns 2 & 3	Amount realized	Amount written off with Legal Remembrancer's sanction	Total of columns 5 & 6	Remaining due on.....
Stamp dues.....	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Cost							

Forwarded to the Legal Remembrancer to Government, Rajasthan

Collector.

No. dated.....19

FORM E

(See Rule 16)

Applications for leave to sue or appeal, as a pauper opposed by Government during the year ending the 30th September, 195

Total number	Government		Costs incurred in column 2.	Costs decreed in column 2.	Costs incurred (including costs decreed against Government) in column 3.	Remarks.
	Successful	Unsuccessful.				
1	2	3	4	5	6	7

NOTE.—The "cost incurred" in columns 4 and 6 should include the Government pleader's fees, these and "other costs" being distinguished in columns 4, 5 and 6.

Forwarded to the Legal Remembrancer to Government, Rajasthan.

.....District,

No.....dated.....195